

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE SOUTHERN DISTRICT OF TEXAS  
3                   HOUSTON DIVISION

4   JAYLA ALLEN, DAMON                   )  
5   JOHNSON, TREASURE SMITH,           )  
6   and THE PANTHER PARTY,            )  
7   Plaintiffs,                         )  
8   )  
9   vs.                                    ) CASE NO. 4:18-cv-3985  
10                                        )  
11   WALLER COUNTY, TEXAS; THE        )  
12   WALLER COUNTY                     )  
13   COMMISSIONERS COURT; JUDGE)  
14   CARBETT "TREY" J. DUHON         )  
15   III; in his official                )  
16   capacity as the Waller              )  
17   County Judge; CHRISTY A.         )  
18   EASON, in her official             )  
19   capacity as the Waller              )  
20   County Elections                    )  
21   Administrator,                     )  
22   Defendants.                          )

23                   ORAL DEPOSITION  
24                   CHRISTY A. EASON  
25                   September 26, 2019

26                   ORAL DEPOSITION OF CHRISTY A. EASON, produced as  
27   a witness at the instance of the Plaintiffs and duly  
28   sworn, was taken in the above-styled and numbered  
29   cause on the 26th day of September, 2019, from  
30   10:56 a.m. to 5:06 p.m., before Vickie G.  
31   Hildebrandt, Certified Shorthand Reporter in and for  
32   the State of Texas, reported by computerized  
33   stenotype machine at the Waller County Courthouse,

<p style="text-align: right;">Page 2</p> <p>1 836 Austin Street, Hempstead, Texas, pursuant to the</p> <p>2 Federal Rules of Civil Procedure and the provisions</p> <p>3 stated on the record or attached hereto.</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 INDEX</p> <p>2 PAGE</p> <p>3 CHRISTY A. EASON</p> <p>4 Examination by Mr. Cusick .....6</p> <p>5</p> <p>6 EXHIBITS</p> <p>7</p> <p>8 EXHIBIT DESCRIPTION PAGE</p> <p>9 Exhibit 1 Deposition Notice 11</p> <p>10 Exhibit 2 H.B. No. 1888 Act 103</p> <p>11 Exhibit 3 Expert Report of Henry Flores, 105</p> <p>12 Ph.D.</p> <p>13 Exhibit 4 Bates DEFENDANTS000131 - Early 116</p> <p>14 Voting and Election Day Polling</p> <p>15 Places, 2018 General Election,</p> <p>16 November 6, 2018</p> <p>17 Exhibit 5 Verity Equipment Assignment 118</p> <p>18 2018 General Election</p> <p>19 Exhibit 6 Defendant Christy A. Eason's 131</p> <p>20 First Supplemental Response and</p> <p>21 Objections to Plaintiffs' First</p> <p>22 Set of Interrogatories</p> <p>23 Exhibit 7 DEFENDANTS000158 - Early Voting 147</p> <p>24 Locations</p> <p>25 Exhibit 8 Bates DEFENDANTS001070-001074 - 157</p> <p>Minutes of the Waller County</p> <p>Commissioners Court Regular</p> <p>Session, Wednesday, October 17,</p> <p>2018</p> <p>Exhibit 9 Waller County Commissioners 157</p> <p>Court Transcript October 17,</p> <p>2018</p>
<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES</p> <p>2</p> <p>3 FOR PLAINTIFFS:</p> <p>4 John S. Cusick, Esq.</p> <p>5 Leah Aden, Esq.</p> <p>6 Steven Lance, Esq.</p> <p>7 NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC.</p> <p>8 40 Rector Street, 5th Floor</p> <p>9 New York, New York 10006</p> <p>10 Telephone: 212.965.2269</p> <p>11 E-mail: jcusick@naacpldf.org</p> <p>12 laden@naacpldf.org</p> <p>13 slance@naacpldf.org</p> <p>14</p> <p>15 FOR DEFENDANTS:</p> <p>16 Gunnar P. Seaquist, Esq.</p> <p>17 BICKERSTAFF HEATH DELGADO ACOSTA LLP</p> <p>18 3711 MoPac Expressway Building One, Suite 300</p> <p>19 Austin, Texas 78746</p> <p>20 Telephone: 512.320.5638</p> <p>21 E-mail: gseaquist@bickerstaff.com</p> <p>22</p> <p>23 FOR DEFENDANTS:</p> <p>24 Elizabeth Dorsey, Esq.</p> <p>25 WALLER COUNTY DISTRICT ATTORNEY'S OFFICE</p> <p>645 12th Street</p> <p>Hempstead, Texas 77445</p> <p>Telephone: 979.826.7718</p> <p>E-mail: e.dorsey@wallercounty.us</p> <p>ALSO PRESENT:</p> <p>Carbett "Trey" J. Duhon III</p>	<p style="text-align: right;">Page 5</p> <p>1</p> <p>2 Exhibit 10 Bates DEFENDANTS001077 - 189</p> <p>3 Minutes of the Waller County</p> <p>4 Commissioners Court Emergency</p> <p>5 Session, Wednesday, October 24,</p> <p>6 2018</p> <p>7 Exhibit 11 Waller County Commissioners 189</p> <p>8 Court Transcript October 24,</p> <p>9 2018</p> <p>10 Exhibit 12 2018 Joint Primary Election 213</p> <p>11 Services Contract with the</p> <p>12 County Elections Officer, State</p> <p>13 of Texas, County of Waller</p> <p>14</p> <p>15 Exhibit 13 Bates DEFENDANTS001255-001257 - 216</p> <p>16 January 7 and 8, 2018 E-mail</p> <p>17 Chain</p> <p>18 Exhibit 14 Bates DEFENDANTS001202-001203 - 219</p> <p>19 March 2018 E-mail Chain</p> <p>20 Exhibit 15 Bates DEFENDANTS001254-001260 - 223</p> <p>21 October 2017 E-mail Chain</p> <p>22</p> <p>23 Exhibit 16 Waller County Commissioners 229</p> <p>24 Court Transcript October 11,</p> <p>25 2017</p> <p>Exhibit 17 Bates DEFENDANTS000786-000794 - 232</p> <p>Minutes of the Waller County</p> <p>Commissioners Court Special</p> <p>Session, Monday, December 15,</p> <p>2014</p> <p>Exhibit 18 Bates DEFENDANTS000800-000802 - 233</p> <p>Waller County Elections Office</p> <p>Report, February 4, 2015</p> <p>Exhibit 19 Bates DEFENDANTS000879-000880 - 234</p> <p>Commissioners Court Report:</p> <p>Elections Office April 15, 2015</p> <p>Exhibit 20 January 26, 2016 E-mail to 234</p> <p>21 Jeron Barnett and Trey Duhon</p> <p>22 from Dan Teed</p> <p>23</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 6</p> <p>1 CHRISTY A. EASON, 2 having been first duly sworn, testified as follows: 3 EXAMINATION 4 Q. (BY MR. CUSICK) Good afternoon, Ms. Eason. 5 A. Good afternoon. 6 Q. My name is John Cusick. 7 A. Good morning. 8 Q. Good morning. Sorry, still another hour. 9 I'm an attorney with the NAACP Legal 10 and Educational Fund. I, along with my colleagues, 11 co-counsel here, represent Jayla Allen, Treasure 12 Smith, Damon Johnson and The Panther Party in this 13 case, but before going any further, I just want to 14 take a moment to have everyone go around who is an 15 attorney and wishes to make an appearance on record 16 today. 17 MS. ADEN: I'm Leah Aden, also with 18 the Plaintiffs' counsel group. 19 MR. LANCE: I'm Steven Lance, with the 20 Plaintiffs' counsel group. 21 MR. SEAQUIST: Good morning. Gunnar 22 Seaquist, here on behalf of Defendants. 23 MS. DORSEY: Elizabeth Dorsey on 24 behalf of Defendants. 25 MR. DUHON: Trey Duhon, county judge</p>	<p style="text-align: right;">Page 8</p> <p>1 heard that you are sworn under oath. 2 Do you understand for the purposes 3 that you must testify truthfully and completely as 4 possible as if you were in front of a judge in a 5 courtroom? 6 A. Yes. 7 Q. Do you understand that the court reporter is 8 transcribing this deposition? 9 A. Yes. 10 Q. And if you would like to take a break at any 11 moment, just let us know. The only thing I ask is that 12 if we're in the middle of a question, if you could just 13 finish answering the question and then we can take the 14 break afterwards. 15 A. Okay. 16 Q. Of course, this is a deposition, so I will be 17 asking you questions. It's important you wait until I 18 finish my question before you start answering and I'll 19 do the same where I won't ask you any question before 20 your -- your answer is complete. 21 A. Okay. 22 Q. It's also important for the Court, for 23 transition purposes, that you answer verbally. This 24 will allow the court reporter to make sure everything is 25 accurately transcribed.</p>
<p style="text-align: right;">Page 7</p> <p>1 Waller County, here on behalf of the County. 2 Q. (BY MR. CUSICK) And as I believe you know, 3 the plaintiffs are challenging the discriminatory 4 early voting opportunities during the 2018 election 5 under the Voting Rights Act of 1965 and the U.S. 6 Constitution. 7 Can you please state and spell your 8 name for the record. 9 MR. SEAQUIST: Object to the 10 characterization. 11 A. Christy, C-H-R-I-S-T-Y, Eason, E-A-S-O-N. 12 Q. (BY MR. CUSICK) And have you gone by any 13 other names? 14 A. No. 15 Q. And your maiden name? 16 A. Andricks, A-N-D-R-I-C-K-S. 17 Q. And what is your official position with the 18 County? 19 A. Elections administrator. 20 Q. And have you been deposed before? 21 A. No. 22 Q. Great. 23 So I'm going to talk a little bit 24 about some ground rules about today, about the 25 deposition so we're on the same page, so you just</p>	<p style="text-align: right;">Page 9</p> <p>1 A. Okay. 2 Q. You understand that? 3 A. Yes. 4 Q. If you don't ask a question -- if you don't 5 have -- if you don't understand a question that I ask, 6 feel free to let me know so I can try to rephrase. 7 Unless you say otherwise, I will assume you understand 8 the question. 9 A. Okay. 10 Q. Is there any reason you may not be able to 11 answer my questions truthfully or completely today? 12 A. No, there's not. 13 Q. Are you taking any type of drug or medication 14 that might affect your ability to understand the 15 questions that I'm asking? 16 A. No, I'm not. 17 Q. And then are you represented by counsel today? 18 A. Yes, I am. 19 Q. And who is your counsel? 20 A. Mr. -- 21 MR. SEAQUIST: Seaquist. 22 A. -- Seaquist. I was going to say Sechrist, 23 but it's Seaquist. 24 MS. ADEN: For the record -- sorry to 25 interrupt. Judge Duhon mentioned that he was here on</p>

<p style="text-align: right;">Page 10</p> <p>1 behalf of the County, not as an attorney representing  2 the County, but as a party in the litigation?  3 MR. SEAQUIST: That's correct.  4 MS. ADEN: Okay.  5 MR. DUHON: I am an attorney,  6 though -- just --  7 MS. ADEN: Yes.  8 MR. SEAQUIST: But not counsel of  9 record in the case.  10 MS. ADEN: I hope the judge of the  11 County is indeed a lawyer. Thank you.  12 Q. (BY MR. CUSICK) And so generally today in  13 the deposition, you, me and the court reporter will  14 be talking. Your attorney might make an objection.  15 You still need to answer the question unless he  16 instructs otherwise for you not to.  17 A. Okay.  18 Q. Do you have any questions for me so far?  19 A. No.  20 MR. CUSICK: Then I'd like to just say  21 for the record that all objections except as to form  22 of the question and the responsiveness of the answer  23 will be reserved until the time of the use of the  24 deposition.  25 Is that agreeable?</p>	<p style="text-align: right;">Page 12</p> <p>1 deposition?  2 A. Yes.  3 Q. And did you do anything to prepare for today's  4 deposition?  5 A. Yes.  6 Q. And what -- did you review any documents?  7 A. I reviewed the documents that I had in my  8 possession and I also visited with our counsel.  9 Q. And what documents would those be in your  10 possession?  11 A. Those would have been the interrogatories  12 that I received as my response interrogatories, as  13 well as Judge Duhon's, as well.  14 Q. And any other documents aside from the two  15 answers to the interrogatories?  16 A. Yes. I did -- I reviewed our expert report  17 as well as the experts' reports from the  18 defendants -- or from the plaintiffs, rather.  19 Q. And those were the four sets of documents?  20 A. Correct.  21 Q. Did you bring any other documents with you  22 aside from those?  23 A. No, no, that's all that I had. I have those  24 two documents.  25 Q. And then you mentioned you met with your</p>
<p style="text-align: right;">Page 11</p> <p>1 MR. SEAQUIST: That's fair.  2 Do you want to just use "Objection,  3 form" for all form objections or specify specific  4 form objections?  5 MS. DORSEY: Objection, form.  6 MR. CUSICK: Objection, form.  7 MR. SEAQUIST: Okay. Sounds good.  8 Q. (BY MR. CUSICK) And, Ms. Eason, would you  9 also want to be able to read and sign the deposition?  10 A. Please.  11 Q. Great.  12 And so, first question I have is, how  13 did you learn about today's deposition?  14 A. I was notified by counsel.  15 (Exhibit No. 1 marked.)  16 MR. CUSICK: And then I'm introducing  17 as Exhibit 1 plaintiffs' amended notice of defendant  18 election administrator Christy Eason, which I'm  19 marking as Eason Exhibit 1.  20 Handing a copy to -- handing a copy to  21 Ms. Eason, one to her counsel.  22 Q. (BY MR. CUSICK) And do you recognize this  23 document, Ms. Eason?  24 A. Yes.  25 Q. And this is how you learned about today's</p>	<p style="text-align: right;">Page 13</p> <p>1 counsel today. Now, without telling me the substance,  2 were there any other lawyers or anyone else present  3 during that meeting?  4 A. There were just my counsel as well as  5 Ms. Dorsey, as well.  6 Q. And those were the only two individuals?  7 A. Correct.  8 Q. And did you talk to anyone else aside from  9 those two individuals about today's deposition?  10 A. No, I did not.  11 Q. I know, before, you said you had not been  12 deposed before; is that correct?  13 A. Correct.  14 Q. Have you ever been a party in a case?  15 A. Yes, I have.  16 Q. And what was that, the nature?  17 A. Are you asking a case as far as a case  18 regarding my position as elections administrator?  19 Q. Yeah, let's go -- first in your official  20 capacity as election administrator.  21 A. Yes, I have, years ago when I served as  22 elections administrator.  23 Q. And do you remember the year, roughly, that the  24 case was filed?  25 A. Oh, it was probably approximately</p>

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<p style="text-align: right;">Page 14</p> <p>1 20-some-odd years ago, 22 years ago. Probably in the 2 '90s. 3 Q. In the '90s? 4 A. Yes. 5 Q. And what type of case was that? 6 A. It was an actual -- a case on election 7 procedures, as well, although it did not go to court 8 and I also did not -- it was dismissed before we did 9 depositions. 10 Q. And so you mentioned it was about election 11 procedures? 12 A. Correct. 13 Q. Were you the defendant in that case? 14 A. Yes, I was. 15 Q. And do you remember the nature of the claims, 16 generally? 17 A. It was -- I was actually a defendant in my 18 official capacity as election administrator. It was 19 a case towards the Commissioners Court at that time. 20 Honestly, I don't remember exactly what the actual 21 charge was or the actual suit was about. 22 Q. Do you remember if it was filed by Ann Davis? 23 A. Yes, I do. 24 Q. And what was Ann Davis' role at that time? 25 A. And Davis was the Republican Party chairman,</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. -- or your office? 2 A. I sure -- I sure don't. 3 Q. Did it involve Prairie View A&amp;M students? And 4 I'll use that as shorthand for -- 5 A. I don't believe it did, not the one that I 6 was involved in with Ann Davis. 7 Q. Okay. 8 A. Or I don't remember if it did. 9 Q. And you said that it was -- it did not go to 10 trial? 11 A. No. 12 Q. Was it resolved before? 13 A. It was either resolved or it was dismissed, 14 but we never -- I never gave a -- a deposition or it 15 never went to trial. 16 Q. And aside from that case in your official 17 capacity, were there any other lawsuits as a party that 18 you were involved in? 19 A. Not that I can remember, no. 20 Q. What about your personal capacity? 21 A. I believe that in that lawsuit, it was in my 22 official capacity, but I believe I was represented in 23 my personal capacity, as well, although I don't 24 believe it went -- it went any further. 25 Q. And do you remember, did any county officials</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. And so that was filed on behalf of the 2 Republican Party? 3 A. I believe so. I believe it was. 4 Q. Waller County Republican Party? 5 A. Yes, I believe so. 6 Q. And then was the other -- was Steve York a 7 party in that case, as well? 8 A. I do remember his name now that you've said 9 that in the case. I'm not sure, I don't remember 10 exactly what his -- his actual role in that was. 11 Q. I know this is a long time ago. 12 A. It was a very long time ago. 13 Q. Do you generally remember how the case arose? 14 A. I do not. 15 Q. And so is it -- do you remember if there were 16 any other parties aside from Ms. Davis and Mr. York? 17 A. As far as -- as far as defendants or 18 plaintiffs? 19 Q. Defendants. 20 A. I believe it was just brought upon by the 21 Republican Party, I believe, at that time. 22 Q. And do you remember maybe not the nature of the 23 claims, but just the allegations that were brought 24 against you -- 25 A. I sure don't.</p>	<p style="text-align: right;">Page 17</p> <p>1 represent the plaintiffs in that case? 2 A. Meaning? 3 Q. Like, would the Waller County district attorney 4 or another office, were they at all involved in that 5 case? 6 A. I would be -- I really don't remember. 7 Q. Sure. 8 And were there -- were there any 9 allegations of discrimination that were brought? 10 A. Not that I remember. 11 Q. And you mentioned that you were election 12 administrator at that time? 13 A. Correct. 14 Q. When were you first -- were you elected or 15 appointed to that position? 16 A. I was appointed. 17 Q. And when were you first appointed? 18 A. I was appointed in -- let's see. I left in 19 1999 and I had been in the office for 12 years, so 20 we're looking at -- what would that make it? 21 Q. '80 something? 22 A. '89, possibly. 23 Q. And who from the -- is it a county appointment? 24 A. Yes, it's a commission, an election 25 commission that does appointments. It consists of</p>

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<p style="text-align: right;">Page 18</p> <p>1 your county judge, your county clerk, the tax 2 assessor and both party chairmen. 3 Q. And is it term limited or did you decide to 4 leave on your own? 5 A. I left on my own. 6 Q. So let's talk a little bit more about this 7 case. 8 Do you understand why you're here 9 today in the deposition? 10 A. Yes, I do. 11 Q. And do you know any of the defendants in this 12 lawsuit? 13 A. No, I do not. 14 Q. Have you -- have you spoken to any of the 15 individual plaintiffs in this case at some point in the 16 past couple of years? 17 A. No, I did not, not that I know of. 18 Q. So you didn't -- you haven't had conversations, 19 even not about this lawsuit, but in general with Jayla 20 Allen? 21 A. No, not that I knew that that's who she was. 22 Q. What about Damon Johnson? 23 A. Not that I -- 24 Q. Treasure Smith? 25 A. No.</p>	<p style="text-align: right;">Page 20</p> <p>1 A. Not at all. 2 Q. Commissioner Amsler, John Amsler? 3 A. Not at all. 4 Q. Commissioner Walter Smith? 5 A. Not at all. 6 Q. Commissioner Jeron Barnett? 7 A. Not at all. 8 Q. And Commissioner Justin Beckendorff? 9 A. Not at all. 10 Q. Any former judges, who I believe Russell 11 Klecka, if I'm pronouncing that correctly? 12 A. No. 13 Q. What about any of the Waller County partisan 14 chairs, so, for example, the Waller County Democratic 15 chair Rosa Harris? 16 A. No. 17 Q. The Republican Party chair -- 18 A. No. 19 Q. -- David Luther? 20 A. No. 21 Q. I believe you mentioned Ann Davis was the 22 former -- 23 A. Correct. 24 Q. -- chair. 25 Have you spoken to her at all about</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. And The Panther Party, which is the student 2 organization? 3 A. No. 4 Q. And when did you first learn about this 5 lawsuit? 6 A. During the end of 2018, right after the 7 primary -- I mean after the general election. 8 Q. From your understanding, do you know why the 9 plaintiffs brought this lawsuit against Waller County, 10 the Commissioners Court and then you in your official 11 capacity as -- 12 MR. SEAQUIST: Form. 13 A. I only know what was actually listed as the 14 reasoning in their paperwork. 15 Q. (BY MR. CUSICK) And do you have any 16 opinions about the lawsuit? 17 MR. SEAQUIST: Form. 18 A. No. 19 Q. (BY MR. CUSICK) Have you discussed the 20 lawsuit with anyone? 21 A. In casual talking. 22 Q. Anyone that is currently sitting on the Waller 23 County Commissioners Court? 24 A. No. 25 Q. So you haven't discussed it with Judge Duhon?</p>	<p style="text-align: right;">Page 21</p> <p>1 this case? 2 A. Not in years. 3 MR. SEAQUIST: You're doing a pretty 4 good job, but make sure you let him get his whole 5 question out before you answer. 6 THE WITNESS: Thank you. Thank you. 7 Q. (BY MR. CUSICK) What about the -- from what 8 I understand, who is the former county election 9 administrator? 10 A. Before me? 11 Q. Yes. 12 A. Dan Teed. 13 Q. And have you spoken to him at all about this 14 case? 15 A. No. 16 Q. And I know that we just discussed before the 17 individual Prairie View A&amp;M students in this case. 18 Have you spoken with any other 19 students about this lawsuit? 20 A. No. 21 Q. And then have you read the complaint in this 22 case as well as the amended complaint? 23 A. Correct. I have. 24 Q. And when was that? 25 A. When I actually received the paperwork,</p>



<p style="text-align: right;">Page 22</p> <p>1 month and a half ago, month ago.</p> <p>2 Q. And so you're generally familiar with the</p> <p>3 allegations --</p> <p>4 A. Yes.</p> <p>5 Q. -- in the complaint?</p> <p>6 A. Yes.</p> <p>7 Q. And what do you understand them to be?</p> <p>8 MR. SEAQUIST: Form.</p> <p>9 A. The allegations that I understand that was</p> <p>10 written in the actual lawsuit was the indication that</p> <p>11 there were not enough early voting hours on the</p> <p>12 campus of Prairie View A&amp;M University.</p> <p>13 Q. (BY MR. CUSICK) Any other?</p> <p>14 A. No.</p> <p>15 Q. I'd just like to briefly discuss a little bit</p> <p>16 about your background and employment history. I know we</p> <p>17 touched on it earlier.</p> <p>18 What's your place of birth?</p> <p>19 A. Bellville, Texas.</p> <p>20 Q. And where do you currently live, city-wise?</p> <p>21 You don't have to give me your address.</p> <p>22 A. Brenham, Texas.</p> <p>23 Q. And how long have you lived there?</p> <p>24 A. 21 years.</p> <p>25 Q. You'll have to excuse me. Is that in Waller</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. And that, too, was also an appointment, same</p> <p>2 process as the first time?</p> <p>3 A. Correct.</p> <p>4 Q. And in between the first time you were election</p> <p>5 administrator and this current time, what other</p> <p>6 employment positions did you hold?</p> <p>7 A. I went to work with Hart InterCivic as a</p> <p>8 sales rep in government sales, and then I also worked</p> <p>9 for AT&amp;T corporate as a corporate representative in</p> <p>10 sales.</p> <p>11 Q. And those are the two --</p> <p>12 A. Yes.</p> <p>13 Q. -- in between?</p> <p>14 Are you involved in any community</p> <p>15 groups in Waller County?</p> <p>16 A. In Waller County, no.</p> <p>17 Q. What about in Washington County?</p> <p>18 A. Yes, I am.</p> <p>19 Q. And what groups?</p> <p>20 A. I am in the process of working with CASA, in</p> <p>21 the application process now. My children are</p> <p>22 involved in all types of sports, type of community</p> <p>23 activities, as well as our church, with the local</p> <p>24 Maifest, with our local Adam's Angels.</p> <p>25 Q. And you said CASA?</p>
<p style="text-align: right;">Page 23</p> <p>1 County?</p> <p>2 A. Washington County.</p> <p>3 Q. Have you ever lived in Waller County?</p> <p>4 A. I have.</p> <p>5 Q. And when was that?</p> <p>6 A. I grew up in Waller County.</p> <p>7 Q. Did you go to high school in Waller County?</p> <p>8 A. I did.</p> <p>9 Q. And then after you graduated, were you -- did</p> <p>10 you remain in Waller County for some time or --</p> <p>11 A. I went to school, then I came back and lived</p> <p>12 in Waller County for a short period of time when I</p> <p>13 was the election administrator before.</p> <p>14 Q. Oh, it's different?</p> <p>15 A. Yes.</p> <p>16 Q. And just briefly, you mentioned you went to</p> <p>17 school. If you could just -- where did you go to</p> <p>18 school?</p> <p>19 A. I went to the Bradford School of Business in</p> <p>20 Houston.</p> <p>21 Q. And so we spoke a little bit about the first</p> <p>22 time you were election administrator, and so in this --</p> <p>23 in this next most recent appointment, when were you</p> <p>24 first appointed?</p> <p>25 A. In March of 2017.</p>	<p style="text-align: right;">Page 25</p> <p>1 A. Uh-huh.</p> <p>2 Q. Is that an acronym for --</p> <p>3 A. Yes, Court Appointed Special Advocate.</p> <p>4 Q. And how long have you been --</p> <p>5 A. I'm in the process -- I'm in the application</p> <p>6 process of that now.</p> <p>7 Q. And before you moved in Washington County, were</p> <p>8 you registered to vote in Waller County when you were</p> <p>9 eligible?</p> <p>10 A. Yes, I was.</p> <p>11 Q. And are you currently registered in Washington</p> <p>12 County?</p> <p>13 A. I am.</p> <p>14 Q. And so I'm going to briefly turn now just to</p> <p>15 talk a little bit about your experience as election</p> <p>16 administrator.</p> <p>17 I guess, generally for now, just kind</p> <p>18 of what are the responsibilities that the election</p> <p>19 administrator holds?</p> <p>20 A. The election administrator is a -- a chief</p> <p>21 election officer in Waller County, also the voter</p> <p>22 registrar in Waller County, as well.</p> <p>23 Q. As so as the voter registrar, what are some</p> <p>24 general duties that you undertake?</p> <p>25 A. I'm also the custodian for all the</p>

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<p style="text-align: right;">Page 26</p> <p>1 registered voters in the county, the registrations, 2 as well. 3 Q. And could you provide some specific examples of 4 the services as the chief election administrator? 5 A. Correct. 6 I hold all Waller County elections. 7 Also, I contract with all entities in Waller County 8 to handle their elections, as well. 9 Q. And so in this work, in holding all of these, 10 who do you most directly work with in Waller County 11 outside of your office for employees or other agencies? 12 A. Within the employees of my own office? 13 Q. Sorry, employees in other parts of Waller 14 County's government. 15 A. I -- I work with, of course, the county 16 judge's office and Commissioners Court, as they are 17 the authority over my office. I also work with the 18 election commission at some point, they're my direct 19 supervisors, and then I also work with the party 20 chairman, both party chairmen, when I contract to 21 hold the primary elections for them, and then any 22 other mayors or city secretaries or any other 23 superintendents of any other entities that I contract 24 to hold their elections with. 25 Q. And so, in addition, I know you mentioned some</p>	<p style="text-align: right;">Page 28</p> <p>1 it was a joint contract between the Republican chair -- 2 or the Republican Party and the Democratic Party? 3 A. Correct. 4 Q. And then I understand, too, that there are 5 sometimes special elections. Do your responsibilities 6 change versus, again, a general election or -- 7 A. My only responsibilities that would change 8 would be the contract. 9 Q. And you mentioned before that the Commissioners 10 Court is a direct authority over your capacity as 11 election administrator? 12 A. Not over my position, but over my office. 13 Q. Over your office. 14 And so what types of activities do you 15 need to run by them before you can move forward with 16 some of the duties that you need to? 17 A. Commissioners Court has -- we have to have 18 Commissioners Court approval for anything that has to 19 do with the general election. That means a 20 county-held election. They would actually approve 21 our voting location. They approve the election 22 judges and alternate judges and clerks that are 23 actually submitted by the party chairman. They 24 actually approve the polling locations, which ones we 25 use. As far as they approve all expenses that has to</p>
<p style="text-align: right;">Page 27</p> <p>1 of the Waller County positions, you mentioned the party 2 chairs. 3 Are there any partnerships with the 4 public or other organizations, too, in your role that 5 you work with? 6 A. No. 7 Q. And I'm just trying to understand, do your 8 responsibilities change when it's the primary versus the 9 general election? 10 A. No, they don't. I still do the same. I 11 just contract to hold that election for the 12 primaries, so I go through a contract with the party 13 chairman to do that. As far as a county-wide 14 election, there is no contract. The County actually 15 holds the election. 16 Q. And so you mentioned a contract for the 17 primaries? 18 A. Correct. 19 Q. Is that a contract between both parties and 20 Waller County? 21 A. Correct. It's an option for them to do 22 both. Both party chairmen and Waller County choose 23 to contract with Waller County, so it is a joint 24 election, as well. 25 Q. And so for the March 2018, I think, primaries,</p>	<p style="text-align: right;">Page 29</p> <p>1 do with the general election. They approve all 2 overtime, all work of my county employees during a 3 general election, and they also -- I'm sorry, and 4 they also approve the contracts when I contract with 5 the parties, as well. 6 Q. And so for the county-wide general elections, 7 you mentioned that they approve expenses. Now, do they 8 give you -- approve an initial budget or -- for each 9 different allocation? 10 A. I have a budget that I prepare yearly. It 11 is my actual office budget. 12 Q. And for decisions on how to spend those funds, 13 do you have to go back and seek approval for -- let's 14 say you decide to hire 14 poll workers versus ten, or is 15 that within your power? 16 A. That is within my discretion, to hire poll 17 workers within my budget. 18 Q. And what about how many machines that are 19 allocated in an election? 20 A. As far as -- the Commissioners Court does 21 not approve how many machines I allocate. I do that 22 myself. 23 Q. How about hours at polling locations? 24 A. Yes. 25 Q. That's within your responsibility?</p>

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<p style="text-align: right;">Page 30</p> <p>1 A. The Commissioners Court approved that and</p> <p>2 the order of the election.</p> <p>3 Q. And are there instances where you need to seek</p> <p>4 additional funds outside of the initial budget that's</p> <p>5 approved?</p> <p>6 A. I have not had to.</p> <p>7 Q. And the Commissioners Court also approves the</p> <p>8 contract once it's finalized?</p> <p>9 MR. SEAQUIST: Form.</p> <p>10 A. They do not approve the actual contract.</p> <p>11 They actually approve the permission for me to</p> <p>12 contract.</p> <p>13 Q. (BY MR. CUSICK) And in terms of -- I know</p> <p>14 we discussed expenses, hours, hiring workers. Are</p> <p>15 those the same responsibilities that are within your</p> <p>16 approval for the primary, as well?</p> <p>17 A. It is in -- it is my responsibility to do</p> <p>18 that, but I do that with the agreement of the party</p> <p>19 chair for which party I contract with. We agree</p> <p>20 together on how many workers they use, et cetera.</p> <p>21 Q. And machine allocation, is that also</p> <p>22 collaboration with the party chairs?</p> <p>23 A. No, not with the party chairs. I do that</p> <p>24 myself.</p> <p>25 Q. And the hours?</p>	<p style="text-align: right;">Page 32</p> <p>1 locations. I -- we use locations that have usually</p> <p>2 been used in the past. Then in a general election,</p> <p>3 both party chairmen are given an opportunity to look</p> <p>4 at those lists and approve them, and then those lists</p> <p>5 are turned over to the Commissioners Court to approve</p> <p>6 the locations.</p> <p>7 Q. (BY MR. CUSICK) And is that the same</p> <p>8 process also for determining temporary locations for</p> <p>9 the primary?</p> <p>10 A. No. The primary -- the primary elections</p> <p>11 are basically set and agreed upon by the party</p> <p>12 chairmen and myself.</p> <p>13 Q. Once that agreement is set or -- or once that's</p> <p>14 set, do you submit it to the Commissioners Court or is</p> <p>15 it just kept internally?</p> <p>16 A. It always goes through Commissioners Court</p> <p>17 to be on record, but it is not actually approved by</p> <p>18 them.</p> <p>19 Q. And I know we spoke about the locations for the</p> <p>20 general election for early voting.</p> <p>21 Who is in charge of allocating hours</p> <p>22 at polling locations? Again, before the recent</p> <p>23 change, so I guess in 2018, who would be responsible</p> <p>24 for determining those hours?</p> <p>25 A. It would be my office with -- after there's</p>
<p style="text-align: right;">Page 31</p> <p>1 A. It's with the party chairs, as well.</p> <p>2 Q. I know we discussed on certain parts, I assume</p> <p>3 that pertains to early voting, but generally, what are</p> <p>4 your responsibilities in terms of early voting for a</p> <p>5 general election?</p> <p>6 A. In a general election, I am the early voting</p> <p>7 clerk, so I am the main -- my office is the main hub</p> <p>8 for early voting. I conduct all early voting by</p> <p>9 mail. I actually allocate all early voting locations</p> <p>10 and oversee all branch early voting locations, as</p> <p>11 well.</p> <p>12 Q. And I know the terminology changes, so for</p> <p>13 branch locations, is -- how many permanent branch</p> <p>14 locations are there for early voting?</p> <p>15 A. We have one -- we have one permanent</p> <p>16 location, which is our main early voting location.</p> <p>17 That's here in Hempstead at the county seat. All</p> <p>18 others are branch locations, temporary at that time.</p> <p>19 Of course, it's changed now, but it was at that time.</p> <p>20 Q. We can talk about that in a -- and so for --</p> <p>21 before the recent change, which we can talk about, are</p> <p>22 you in charge of determining what temporary branch</p> <p>23 locations are for early voting in general elections?</p> <p>24 MR. SEAQUIST: Form.</p> <p>25 A. I am not in charge of selecting those</p>	<p style="text-align: right;">Page 33</p> <p>1 set agreement from the party chairmen, then they're</p> <p>2 put through Commissioners Court to be voted upon.</p> <p>3 Q. And when you say "set agreement," do you</p> <p>4 initially propose a list or do the party chairs come up</p> <p>5 with the list first?</p> <p>6 A. We usually propose a list, a lot of what is</p> <p>7 based on past elections or where the -- where the</p> <p>8 need might be.</p> <p>9 Q. And since you've been election administrator,</p> <p>10 this -- since 2017 until each primary that you've</p> <p>11 oversaw in general election, have the party chairs</p> <p>12 always been involved in that process?</p> <p>13 A. In the primaries, always. In the general</p> <p>14 election, yes, as well.</p> <p>15 Q. And was that the same process during your first</p> <p>16 term, from '89 till '98?</p> <p>17 A. Yes.</p> <p>18 Q. The party chairs were setting --</p> <p>19 A. Yes.</p> <p>20 Q. And when you lived in Waller County, did you</p> <p>21 participate in any of the county -- either the</p> <p>22 Democratic or the Republican Party committees at all?</p> <p>23 A. No.</p> <p>24 Q. Do the -- does the Republican county party</p> <p>25 chair, either the Democrat or the Republican, at all</p>

<p style="text-align: right;">Page 34</p> <p>1 interact with the Washington County Democratic or 2 Republican chair? 3 MR. SEAQUIST: Form. 4 A. Not that I know of. 5 Q. (BY MR. CUSICK) And are there any new 6 responsibilities that you've had to take on since 7 your first time as county election administrator 8 until the second time? 9 A. Only where the laws have changed. 10 Q. And so you've grown up in Waller County and 11 have been working in government. I just want to ask, 12 what's your understanding of the history of voting for 13 Prairie View A&amp;M students in Waller County? 14 MR. SEAQUIST: Object to the form. 15 A. I am not -- I am not familiar with the past 16 that has happened here, only what I've heard through 17 news stories or on the Internet. 18 Q. (BY MR. CUSICK) And you mentioned you're 19 not familiar with the past. Does that mean since you 20 were in high school, anything before high school? 21 A. No, none before high school. 22 Q. From what you understand, have Prairie View A&amp;M 23 students experienced any issues trying to exercise their 24 right to vote since the 1980s? 25 MR. SEAQUIST: Object to the form.</p>	<p style="text-align: right;">Page 36</p> <p>1 A. No. 2 Q. (BY MR. CUSICK) And no official meetings 3 was it brought up from March 2017 -- 4 A. Correct. 5 Q. -- until today? 6 MR. SEAQUIST: Same objection. 7 A. Correct. 8 Q. (BY MR. CUSICK) Have you been -- since 9 March of 2017, have you been in public forums where 10 it's been brought up? 11 A. No. 12 Q. Have you been to any events at Prairie View A&amp;M 13 where it's been brought up? 14 A. No. 15 Q. Have you been to any courtroom proceedings 16 where it's been brought up? 17 A. Only in Commissioners Court when the public 18 from Prairie View spoke. 19 Q. And are you referencing meetings this past 20 October? 21 A. Correct. 22 Q. And so that was the only public forum where 23 it's been brought up that you were present? 24 A. Correct. 25 Q. Do you -- in your capacity as election</p>
<p style="text-align: right;">Page 35</p> <p>1 A. Can you ask that question again? 2 Q. (BY MR. CUSICK) Sure. 3 Have Prairie View A&amp;M students, to 4 your understanding, experienced any issues trying to 5 exercise their right to vote since the 1980s? 6 MR. SEAQUIST: Object to the form. 7 A. From what I've been told, yes. 8 Q. (BY MR. CUSICK) And you mentioned that you 9 were told. Was that through newspapers or personal 10 conversations with people? 11 A. All of the above. 12 Q. So news articles? 13 A. Conversation, Internet. 14 Q. Any government officials in Waller County -- 15 you don't have to say their names, but conversations 16 about this with other Waller County -- 17 A. Yes. 18 Q. Has it come up at all during official meetings 19 during your first term? 20 A. No. 21 Q. So there were no discussions -- I guess I'll 22 use 1988 just as rough-hand for now to '98 -- about 23 issues with Prairie View A&amp;M students having their 24 voting rights exercised? 25 MR. SEAQUIST: Object to the form.</p>	<p style="text-align: right;">Page 37</p> <p>1 administrator, do outreach to Prairie View A&amp;M students 2 to set the schedule for early voting? 3 A. No. 4 Q. And so for 2018, you wouldn't have interacted 5 with any Prairie View A&amp;M students to ask them 6 preferences for hours or locations? 7 A. No, not as far as hours. 8 Q. And so based on the news articles, the 9 conversations, the articles you mentioned on the 10 Internet, what are some of the examples of voting issues 11 that students have faced that you recall? 12 MR. SEAQUIST: Form. 13 A. That I was told? 14 Q. (BY MR. CUSICK) Correct. 15 A. Or that I have experienced personally? 16 Q. I guess, let's first go with what you were 17 told. 18 A. What I had been told about questionnaires 19 being made to be filled out in the past, about 20 residency on the campus versus residency within the 21 county, about possible discrimination as far as 22 voting. 23 Q. Any others for what you were told? 24 A. That's about it. 25 Q. And so for the issue with questionnaires, we</p>

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<p style="text-align: right;">Page 38</p> <p>1 can talk about that for a moment. Who conveyed that</p> <p>2 information to you?</p> <p>3 A. I don't remember.</p> <p>4 Q. And what issues with the questionnaires or what</p> <p>5 was the issue with the questionnaires?</p> <p>6 A. I don't know what was on the questionnaire.</p> <p>7 Q. You mentioned residency on campus versus the</p> <p>8 county?</p> <p>9 A. Correct.</p> <p>10 Q. And do you remember who conveyed that</p> <p>11 information to you?</p> <p>12 A. No.</p> <p>13 Q. And generally, what was the issue with that</p> <p>14 with students exercising their right to vote in that</p> <p>15 situation?</p> <p>16 MR. SEAQUIST: Object to the form.</p> <p>17 A. Being able to use a university address as a</p> <p>18 permanent residence address in Waller County.</p> <p>19 Q. (BY MR. CUSICK) And was that the issue that</p> <p>20 people did not want them to use that permanent</p> <p>21 address in Waller County?</p> <p>22 MR. SEAQUIST: Object to the form.</p> <p>23 A. I don't know.</p> <p>24 Q. (BY MR. CUSICK) And then the third bucket that</p> <p>25 you mentioned was possible discrimination. Was that --</p>	<p style="text-align: right;">Page 40</p> <p>1 mentioned that from personal experience, that you've</p> <p>2 heard stories about students experiencing issues of</p> <p>3 exercising their right to vote?</p> <p>4 MR. SEAQUIST: Object to the form.</p> <p>5 A. No.</p> <p>6 Q. (BY MR. CUSICK) I'm sorry if I -- maybe I</p> <p>7 misunderstood you.</p> <p>8 Did you say you personally experienced</p> <p>9 something relating to students exercising their right</p> <p>10 to vote on campus?</p> <p>11 A. No, I didn't say that.</p> <p>12 Q. So it's only stuff that's been told to you?</p> <p>13 A. Correct.</p> <p>14 Q. And we spoke a little bit about students, and I</p> <p>15 know that we talked about hours.</p> <p>16 In 2018, for the primary, did you talk</p> <p>17 to any students about locations for early voting?</p> <p>18 A. No.</p> <p>19 Q. What about for the general election?</p> <p>20 A. No.</p> <p>21 Q. Is that also true for the 2017 primary?</p> <p>22 A. Correct.</p> <p>23 Q. And is that also true for the 2017 -- is it a</p> <p>24 bond election?</p> <p>25 A. That was the general election --</p>
<p style="text-align: right;">Page 39</p> <p>1 do you remember who conveyed that information to you?</p> <p>2 A. No.</p> <p>3 Q. Was that discrimination based on race?</p> <p>4 A. No, based on residency.</p> <p>5 Q. What about on age?</p> <p>6 A. No.</p> <p>7 Q. And so you haven't had any conversations of</p> <p>8 issues of students experiencing racial discrimination on</p> <p>9 campus?</p> <p>10 MR. SEAQUIST: Object to the form.</p> <p>11 A. Have I had any conversations with</p> <p>12 students --</p> <p>13 Q. (BY MR. CUSICK) Yes.</p> <p>14 A. -- as far as racial discrimination? No.</p> <p>15 Q. What about with other members of Waller County?</p> <p>16 A. Members of Waller County?</p> <p>17 Q. Residents.</p> <p>18 MR. SEAQUIST: Object to the form.</p> <p>19 A. Could you ask that again?</p> <p>20 Q. (BY MR. CUSICK) Have you had any conversations</p> <p>21 with Waller County residents about racial discrimination</p> <p>22 against students?</p> <p>23 A. No.</p> <p>24 Q. And then -- so before, you mentioned you were</p> <p>25 told some of these three buckets, and then you also</p>	<p style="text-align: right;">Page 41</p> <p>1 Q. General election is the bond.</p> <p>2 A. -- 2017.</p> <p>3 Q. And so you did not speak to students before --</p> <p>4 in --</p> <p>5 A. No.</p> <p>6 Q. And do you remember any of the news articles</p> <p>7 that you read that specified issues with voting on</p> <p>8 campus?</p> <p>9 A. Yes.</p> <p>10 Q. Do you remember the outlets?</p> <p>11 A. The Washington Post, The Dallas News, CNN,</p> <p>12 MSNBC.</p> <p>13 Q. And are those recent stories from 2018?</p> <p>14 A. Correct.</p> <p>15 Q. Any from 2019?</p> <p>16 A. Yes.</p> <p>17 Q. Did you read any stories about issues with</p> <p>18 students voting on campus in 2017?</p> <p>19 A. No.</p> <p>20 Q. And you mentioned a Washington Post article?</p> <p>21 A. Yes.</p> <p>22 Q. Is that a recent article?</p> <p>23 A. Yes.</p> <p>24 Q. And a CNN article?</p> <p>25 A. Not recent.</p>

<p style="text-align: right;">Page 42</p> <p>1 Q. For the CNN article, did you discuss that with 2 any members of your office? 3 A. I'm sure I did. 4 Q. Do you remember the nature of the article? 5 A. Probably the addressing issue that was going 6 on in the general election. 7 Q. And for the 2018 general election, do you 8 remember any articles you read outside of the rural 9 addressing issue about any issues students were 10 experiencing on campus trying to vote? 11 A. Yes. 12 Q. And was that the MSNBC article? 13 A. It wasn't an article, it was on television. 14 Q. Television. 15 Do you remember what station? 16 A. No. 17 Q. And about the -- what you watched on the news, 18 did you have conversations about that segment with 19 members in your office? 20 A. Yes. 21 Q. Do you remember what the segment was about? 22 A. It was with Congress -- a candidate for -- a 23 state representative candidate, I think is what he 24 was running for, and was speaking about -- the issues 25 that were going on at Prairie View -- it was his</p>	<p style="text-align: right;">Page 44</p> <p>1 the spring. 2 Q. So before the -- 3 A. Before the election. 4 Q. And was that the first time -- can we say the 5 rural addressing issue, shorthand, was brought to -- let 6 me rephrase. Strike that. 7 Did students or other Waller County 8 residents ever mention this before 2018? 9 MR. SEAQUIST: Form. 10 A. Not to me. 11 Q. (BY MR. CUSICK) Prior to your appointment, 12 did you have any conversations with the former 13 election administrator about ongoing issues in the 14 county, Dan Teed? 15 A. I contacted him about the addressing issue. 16 Q. And why did you contact him? 17 A. To ask who issued that generic address to 18 the campus. 19 Q. And did he know who did? 20 A. Yes. 21 Q. And? 22 A. It would have been, just from what he told 23 me himself, the post office and members -- 24 representatives from Prairie View A&amp;M University. 25 Q. And were there any issues with this rural</p>
<p style="text-align: right;">Page 43</p> <p>1 opinion were going on at Prairie View. 2 Q. And were those issues related to 3 discrimination? 4 MR. SEAQUIST: Form. 5 A. No. 6 Q. (BY MR. CUSICK) What were the issues? 7 A. Addressing. 8 Q. And what is your understanding of the 9 addressing issue? 10 A. Are you asking what -- 11 Q. I can rephrase. 12 A. Could you? 13 Q. Yes, not a problem. 14 So you mentioned that there was an 15 issue with addressing for students? 16 A. Correct. 17 Q. What was the -- what were the -- what was the 18 issue with that? 19 A. A generic address that was given to students 20 that was not on campus. 21 Q. And why would that be an issue? 22 A. It was placing them in the wrong precinct. 23 Q. And so that was brought to your attention for 24 the general election in 2018? 25 A. No. I found that issue myself in 2018, in</p>	<p style="text-align: right;">Page 45</p> <p>1 addressing issue when he was election administrator, 2 from your conversation with him? 3 A. Let me ask you a question. I'm thinking 4 maybe we're talking about two things. I'm talking 5 about the issue with the generic addressing. You're 6 saying rural addressing. There is some -- are we 7 talking about the same -- 8 Q. Yes. I'll say -- let me rephrase. 9 For the addressing issue. 10 A. For the addressing issue. Okay. 11 Now, what was your question again? 12 Q. During that conversation, did he mention that 13 there were any issues with -- while he was election 14 administrator with people going to different precincts? 15 A. He did not realize that there was an issue. 16 Q. And so you mentioned that people -- or 17 students, mainly, were being assigned to the -- a 18 different polling place than where they were supposed to 19 vote? 20 A. Yes, based on that address they were given. 21 Q. And do you remember the month you found out 22 about this issue? You said early spring? 23 A. I started investigating it in the early 24 spring right after the primary, right after the 25 primary election, so it was probably in April. By</p>

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<p style="text-align: right;">Page 46</p> <p>1 the time I had found the issue, it was into the 2 summer. 3 And your question was what, when did I 4 do what? 5 Q. Just the month. 6 A. The summer, yes, that I knew that it was a 7 problem. 8 Q. Verified it? 9 A. Yes, in the summer. 10 Q. And what prompted you -- I guess, how did you 11 come across that issue after the primary? 12 A. We were discussing issues with long lines -- 13 Q. Okay. 14 A. -- on the campus, and I was looking for ways 15 to remedy that and I came across the addressing 16 issue. 17 Q. And so you confirmed or verified that this was 18 an issue sometime in the summer, and then what were the 19 steps that you took to resolve it? 20 A. I -- there was -- the students didn't come 21 back to -- they were on their summer break. They did 22 not come back until August, so I had to wait until 23 August for them to get back to start having voter 24 registration drives, change of address drives, to get 25 them to actually give their correct addresses on</p>	<p style="text-align: right;">Page 48</p> <p>1 could vote -- go to either precinct. They would be 2 allowed to vote, and then they were to fill out the 3 change of address form afterward. 4 Q. And is this the -- you mentioned it's not been 5 fixed yet? 6 A. Correct. 7 Q. Is this the same solution for ongoing -- for 8 upcoming elections that's going to be in place, where 9 they can vote at either precinct? 10 A. No. 11 Q. And why is that? 12 A. Because anyone that has that 700 -- excuse 13 me -- University address will be able to fill out a 14 change of address form at that time, but they must 15 vote in their precinct that's actually registered to 16 them or actually given to them. 17 Q. And so when they fill out the registration 18 form, they're assigned to a precinct? 19 A. Uh-huh. 20 Q. And it is -- when they're assigned to that 21 precinct, is that correct based on the 700 address? 22 A. Not if that is the address that it's based 23 on, no. 24 Q. So how do you convey that information that 25 they're being assigned to the wrong precinct?</p>
<p style="text-align: right;">Page 47</p> <p>1 campus to correct those. 2 Q. And so to resolve this issue, were you 3 conducting any of the voter registration drives on 4 campus? 5 A. Yes, I did -- I did all of the ones that 6 were out there to correct this issue. I also did 7 several classes of volunteer deputy registrars where 8 they would go out and help me as far as sorority, 9 student government council, spoke with several 10 representatives from the university and we were in 11 the process of correcting the address. 12 Q. And when was the issue -- the addressing issue 13 resolved? 14 A. It never was completely resolved. It's -- 15 it's an ongoing -- everyone that had the 700 16 University address has not been corrected due to them 17 not filling out a form. 18 Q. We can touch base about the reason why in a 19 moment. 20 Then for the 2018 election, was there 21 some type of cure or solution to address it for 22 students voting in that election? 23 A. Yes. 24 Q. And what was that? 25 A. They were to vote -- on election day, they</p>	<p style="text-align: right;">Page 49</p> <p>1 A. How do I convey? 2 Q. Or how are they put on notice that the precinct 3 they're being assigned to is not the one they should be 4 voting at? 5 A. What they will do is now, they will have 6 a -- be on what's called a suspense list, with an "S" 7 beside their name, on the list of registered voters, 8 so when they go vote, the election judge will ask 9 them based on that "S," do you live at this address, 10 and they'll say no, and they're actually made to fill 11 out a change of address form with their current 12 address. 13 Q. So let's say that a student goes to the 14 wrong -- or the assigned precinct that's incorrect. 15 A. Correct. 16 Q. They go to vote. 17 A. Correct. 18 Q. It's flagged that they have an "S," you said? 19 A. Correct. 20 Q. Suspense? 21 A. Correct. 22 Q. And so they cast -- they go to vote, they get 23 this flag, and then before they cast out a ballot, they 24 fill out a change of address form, and then do they have 25 to cast a regular ballot or a provisional ballot?</p>



<p style="text-align: right;">Page 50</p> <p>1 A. They can cast a regular ballot.</p> <p>2 Q. And so once they complete the change of form</p> <p>3 address [as spoken], then moving forward --</p> <p>4 A. That is what gives them the right to cast a</p> <p>5 regular ballot, is filling out that form.</p> <p>6 Q. And once the change of address form is</p> <p>7 completed, then they're able to vote at that precinct?</p> <p>8 A. Yes.</p> <p>9 Q. Were there any issues during the 2018 election</p> <p>10 where people were put on this suspense list and were not</p> <p>11 able to cast a ballot?</p> <p>12 A. No.</p> <p>13 Q. And so do they have -- once they fill out the</p> <p>14 change of address form, they don't have to submit any</p> <p>15 additional change of address form in the next election?</p> <p>16 A. Correct.</p> <p>17 Q. And so it's permanently changed?</p> <p>18 A. Correct.</p> <p>19 Q. And when was the issue or -- for this -- I know</p> <p>20 you mentioned before students could vote at either</p> <p>21 precinct.</p> <p>22 Do you remember the date when this was</p> <p>23 announced to students?</p> <p>24 A. That they could vote at either precinct?</p> <p>25 Q. Yes.</p>	<p style="text-align: right;">Page 52</p> <p>1 Q. (BY MR. CUSICK) And what was the first</p> <p>2 piece they gave you?</p> <p>3 A. By law, by election law, you should fill out</p> <p>4 an actual change of address form before you vote.</p> <p>5 The Secretary of State's office changed it at the end</p> <p>6 that they could vote first, fill out the form second.</p> <p>7 Q. And when was that initial -- or when did you</p> <p>8 receive that?</p> <p>9 A. That was during early voting.</p> <p>10 Q. So was that also in October at some point?</p> <p>11 A. Correct.</p> <p>12 Q. And was it -- did you agree with that -- with</p> <p>13 that --</p> <p>14 A. Correct.</p> <p>15 Q. -- with that recommendation --</p> <p>16 A. Yes.</p> <p>17 Q. -- or proposal?</p> <p>18 A. Yes.</p> <p>19 Q. You thought that would resolve the --</p> <p>20 A. Yes, yes.</p> <p>21 MR. SEAQUIST: Let him finish.</p> <p>22 THE WITNESS: Sorry.</p> <p>23 Q. (BY MR. CUSICK) And then so you received</p> <p>24 that, you say it was a recommendation, or how would</p> <p>25 you characterize it?</p>
<p style="text-align: right;">Page 51</p> <p>1 A. That would be done -- it was during early</p> <p>2 voting, I believe.</p> <p>3 Q. Sometime in October?</p> <p>4 A. It was announced through the Secretary of</p> <p>5 State, correct.</p> <p>6 Q. And did you work with students to come up with</p> <p>7 that solution?</p> <p>8 A. With what solution?</p> <p>9 Q. That they could vote at either precinct.</p> <p>10 A. That was a -- that was a -- that was made by</p> <p>11 the Secretary -- that decision was made by the</p> <p>12 Secretary of State's office.</p> <p>13 Q. So it had no -- were any Waller County</p> <p>14 administrators, yourself or any of the Commissioners</p> <p>15 Court involved with the Secretary of State in that</p> <p>16 solution?</p> <p>17 A. We did --</p> <p>18 MR. SEAQUIST: Form.</p> <p>19 A. We had a discussion with the Secretary of</p> <p>20 State. The Secretary of -- let me rephrase that.</p> <p>21 This -- the issue that the</p> <p>22 Secretary -- or that the Secretary of State made</p> <p>23 there was the second piece of advice that we had been</p> <p>24 given from them. They overruled the first piece that</p> <p>25 they gave us, if that makes sense.</p>	<p style="text-align: right;">Page 53</p> <p>1 A. Yes.</p> <p>2 Q. Recommendation.</p> <p>3 And then what prompted the second</p> <p>4 recommendation by the Secretary of State's office?</p> <p>5 MR. SEAQUIST: Form.</p> <p>6 A. There were complaints from students and</p> <p>7 candidates that were campaigning on the campus that</p> <p>8 that was impeding the students voting, having to fill</p> <p>9 the form out beforehand.</p> <p>10 Q. (BY MR. CUSICK) And why -- from your</p> <p>11 understanding of these complaints, why was that</p> <p>12 impeding their right to vote for the students?</p> <p>13 MR. SEAQUIST: Object to the form.</p> <p>14 A. What they -- what the students and the</p> <p>15 candidates felt was the reason that it impeded it, it</p> <p>16 was because that it was intimidation to have to fill</p> <p>17 that out before they were able to vote.</p> <p>18 Q. (BY MR. CUSICK) Was that the only complaint,</p> <p>19 was that it was a form of intimidation?</p> <p>20 MR. SEAQUIST: Form.</p> <p>21 A. Correct.</p> <p>22 Q. (BY MR. CUSICK) And you did not receive the</p> <p>23 first recommendation from the Secretary of State,</p> <p>24 following that students fill out a change of address</p> <p>25 form before they voted. Did your office intend to issue</p>



<p style="text-align: right;">Page 54</p> <p>1 any guidance about this issue to students?</p> <p>2 MR. SEAQUIST: Form.</p> <p>3 A. Guidance as far as?</p> <p>4 Q. (BY MR. CUSICK) What they should do if</p> <p>5 they're assigned to the wrong polling --</p> <p>6 A. We had been doing that up until weeks before</p> <p>7 the election when we started dealing with the</p> <p>8 addressing issue.</p> <p>9 Q. And what type of outreach did you conduct?</p> <p>10 A. What I had told you earlier, the classes as</p> <p>11 far as volunteer deputy registrars. We met with</p> <p>12 several sororities. We met with the Student</p> <p>13 Government Association. They were all aware of the</p> <p>14 issue and were passing along the information, and we</p> <p>15 did that, as well, when we did our voter registration</p> <p>16 drives.</p> <p>17 Q. So that began as soon as the students were back</p> <p>18 on campus?</p> <p>19 A. That began in August.</p> <p>20 Q. And so you mentioned -- we touched base -- we</p> <p>21 discussed before that this is an ongoing issue; is that</p> <p>22 a correct characterization?</p> <p>23 MR. SEAQUIST: Form.</p> <p>24 Q. (BY MR. CUSICK) Or it hasn't been resolved?</p> <p>25 A. Completely correct.</p>	<p style="text-align: right;">Page 56</p> <p>1 yesterday, I had a voter registration drive on</p> <p>2 campus. Next week, I have two volunteer deputy</p> <p>3 registrar classes set. Every other Wednesday, we're</p> <p>4 going to their hump day facility or their -- their --</p> <p>5 and having voter registration drives there, and that</p> <p>6 will be through the election.</p> <p>7 Q. And you initially -- or what first prompted you</p> <p>8 to look into this issue? You mentioned there were long</p> <p>9 lines in the primary?</p> <p>10 A. No, there were long lines in the 2016</p> <p>11 election.</p> <p>12 Q. 2016 election.</p> <p>13 And there were long lines at all</p> <p>14 precincts or voting locations for early voting?</p> <p>15 A. That was before I was here so I'm not aware,</p> <p>16 but I do know there were at that precinct.</p> <p>17 Q. And when was the -- this issue conveyed to</p> <p>18 you -- or strike that.</p> <p>19 You mentioned that there were long</p> <p>20 lines in 2016. Who mentioned or relayed that</p> <p>21 information to you?</p> <p>22 A. No one in particular. It was just a</p> <p>23 consensus of everyone talking about things that had</p> <p>24 happened in the election.</p> <p>25 Q. And so based on this consensus, were there long</p>
<p style="text-align: right;">Page 55</p> <p>1 Q. And why is that?</p> <p>2 A. All of the students that did not change</p> <p>3 their address when they voted.</p> <p>4 Q. And what would be the issue with that, they</p> <p>5 would -- strike that.</p> <p>6 Would those students still be assigned</p> <p>7 to the incorrect polling precinct?</p> <p>8 A. Correct, based on their address.</p> <p>9 Q. I know I mentioned before the rural addressing.</p> <p>10 Is there only one addressing issue that's at issue?</p> <p>11 A. That is, yes.</p> <p>12 Q. And how many students are assigned with -- to</p> <p>13 the 700 address?</p> <p>14 A. I can't tell you exactly because some of</p> <p>15 them have been already corrected, so I don't know</p> <p>16 what the number is now.</p> <p>17 Q. Do you have a sense of how many students are</p> <p>18 still incorrectly assigned to the polling precinct?</p> <p>19 A. To the wrong precinct?</p> <p>20 Q. Yeah.</p> <p>21 A. After we have gone and fixed them, probably</p> <p>22 no more than 150, possibly.</p> <p>23 Q. And do you have any plans for this upcoming</p> <p>24 election to continue to conduct outreach to addresses?</p> <p>25 A. I have already done that. Just day before</p>	<p style="text-align: right;">Page 57</p> <p>1 lines at any early voting locations in Prairie View?</p> <p>2 MR. SEAQUIST: Form.</p> <p>3 A. When?</p> <p>4 Q. (BY MR. CUSICK) For 2016.</p> <p>5 A. I don't know.</p> <p>6 Q. What's your understanding of the history of</p> <p>7 having a polling place on campus at Prairie View A&amp;M</p> <p>8 University?</p> <p>9 A. That there was a location, then there was</p> <p>10 not a location due to remodeling and some issue --</p> <p>11 building issues on campus. Then the early voting</p> <p>12 location was put back on campus several years back.</p> <p>13 Q. Do you remember when the first time Prairie</p> <p>14 View A&amp;M had an early voting location on campus?</p> <p>15 A. I don't remember the exact date, but they</p> <p>16 had it closed for a while before it was taken off.</p> <p>17 Q. Was it during your first time as election</p> <p>18 administrator from 1988 --</p> <p>19 A. Yes.</p> <p>20 Q. -- to 1998?</p> <p>21 A. Yes, they had one.</p> <p>22 Q. Was that every year?</p> <p>23 A. Are you asking me early voting or election</p> <p>24 day?</p> <p>25 Q. Early voting.</p>

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<p style="text-align: right;">Page 58</p> <p>1 A. I don't remember in early voting.</p> <p>2 Q. And for the general election, from 1988 to</p> <p>3 1998, they had an on-campus --</p> <p>4 A. On election day, yes.</p> <p>5 Q. And so you mentioned it was -- early voting was</p> <p>6 brought back onto campus?</p> <p>7 A. Correct.</p> <p>8 Q. And what year was that?</p> <p>9 A. I believe 2016, possibly.</p> <p>10 Q. And I know while the university is a big</p> <p>11 campus, for the 2016 early voting location on campus,</p> <p>12 what location was that?</p> <p>13 MR. SEAQUIST: Form.</p> <p>14 A. I don't know, I wasn't here, without</p> <p>15 looking.</p> <p>16 Q. (BY MR. CUSICK) What about on election day</p> <p>17 during your first time as election administrator?</p> <p>18 A. On campus.</p> <p>19 Q. And where on campus?</p> <p>20 A. At the student center.</p> <p>21 Q. The Memorial Student Center?</p> <p>22 A. Yes. I think it was possibly called</p> <p>23 something different, but it was at the student</p> <p>24 center.</p> <p>25 Q. I just want to briefly go back to a portion of</p>	<p style="text-align: right;">Page 60</p> <p>1 A. I don't. They were when I was -- after I</p> <p>2 had left.</p> <p>3 Q. And so that would be?</p> <p>4 A. I left in 1999.</p> <p>5 Q. And are there any more recent examples of</p> <p>6 racial discrimination that you've heard --</p> <p>7 A. Not -- no.</p> <p>8 Q. -- since you've come back to Waller County?</p> <p>9 A. No.</p> <p>10 Q. And before you left, in your first time as</p> <p>11 election administrator, did on-campus voting during the</p> <p>12 general election remain on campus or was it taken away</p> <p>13 after your --</p> <p>14 A. After I left?</p> <p>15 Q. Correct.</p> <p>16 A. It is my understanding it was taken away,</p> <p>17 but it was due to the building being taken down and</p> <p>18 remodeled.</p> <p>19 Q. The Memorial -- or whatever that student center</p> <p>20 was called before?</p> <p>21 A. Correct.</p> <p>22 Q. And then after that was completed, from your</p> <p>23 understanding, was it brought back to campus?</p> <p>24 A. Yes.</p> <p>25 Q. Do you remember the year?</p>
<p style="text-align: right;">Page 59</p> <p>1 the deposition we were talking about before about issues</p> <p>2 that students faced for exercising the right to vote on</p> <p>3 campus.</p> <p>4 Is it your understanding, has there</p> <p>5 ever been any racial discrimination against Prairie</p> <p>6 View A&amp;M students in Waller County?</p> <p>7 MR. SEAQUIST: Object to the form.</p> <p>8 A. Is it my understanding or I have heard or --</p> <p>9 Q. (BY MR. CUSICK) First, your understanding.</p> <p>10 A. Not personally.</p> <p>11 Q. But you've heard?</p> <p>12 A. Yes.</p> <p>13 Q. And who have you heard that from?</p> <p>14 A. Just the same, through news and articles and</p> <p>15 industry.</p> <p>16 Q. And do you know any examples or -- what are</p> <p>17 some examples that you heard?</p> <p>18 A. As far as racial discrimination?</p> <p>19 Q. Yes.</p> <p>20 A. I haven't heard examples of actually what</p> <p>21 was done. I have heard there were marches and</p> <p>22 protests because they felt as if they were racially</p> <p>23 discriminated against.</p> <p>24 Q. And do you remember when the marches and</p> <p>25 protests you were talking about happened?</p>	<p style="text-align: right;">Page 61</p> <p>1 A. That what?</p> <p>2 Q. It was brought back.</p> <p>3 A. I think 2016, 2015, right in there.</p> <p>4 Q. So from 1999 to 2015, it wasn't at Memorial</p> <p>5 Student Center?</p> <p>6 A. No, it was there. No, it was there. I'm</p> <p>7 not sure long it was taken down, but it was there</p> <p>8 during that time.</p> <p>9 Q. And I think -- you have to excuse me because I</p> <p>10 might misremember.</p> <p>11 For the 2016 early voting on campus,</p> <p>12 you don't recall where the location was?</p> <p>13 A. No. I wasn't here again. Without looking</p> <p>14 at a list.</p> <p>15 Q. Sure.</p> <p>16 And so in your current tenure as</p> <p>17 election administrator, have there been any</p> <p>18 disagreements among Waller County residents about</p> <p>19 early voting?</p> <p>20 MR. SEAQUIST: Form.</p> <p>21 A. Yes.</p> <p>22 Q. (BY MR. CUSICK) What are some of those</p> <p>23 disagreements?</p> <p>24 A. Are you --</p> <p>25 MR. SEAQUIST: Form.</p>

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<p style="text-align: right;">Page 62</p> <p>1 A. Are you speaking of the -- between Prairie 2 View students, are you speaking of Waller County as a 3 whole? 4 Q. We can talk first about students. 5 Were there disagreements that students 6 had about early voting? 7 A. Of where the location -- where it's located 8 at. 9 Q. And did that happen -- were you election 10 administrator for the 2017 primary or did that -- 11 A. No. There wasn't a primary in 2017. 12 Q. Oh, okay. 13 Were those issues with early voting 14 that you mentioned, were those expressed during the 15 2017 general election? 16 A. No. 17 Q. So students didn't express any concerns -- 18 A. No. 19 Q. -- about early voting on campus? 20 A. No. 21 Q. What about for the 2018 primary? 22 A. No, because it was already there. 23 Q. And do you remember the location where it was 24 for the 2018 primary? 25 A. Student center.</p>	<p style="text-align: right;">Page 64</p> <p>1 Q. And I know initially we just had focus on 2 students. Now we'll talk a little bit broader about the 3 Waller County community outside of the student 4 population. 5 Did Waller County residents express 6 any concerns about early voting -- 7 A. No. 8 Q. -- in 2017? 9 A. No. 10 Q. 2018? 11 A. No. 12 Q. For the primary? 13 A. No. 14 Q. For the general election? 15 A. No. 16 Q. Did either of the party chairs express any 17 concerns about early voting on campus to you for the 18 2017 general election? 19 A. No. 20 Q. For the 2018 primary? 21 A. No. 22 Q. And for the 2018 general election? 23 A. Not until afterwards. 24 Q. And when you mention afterwards, after the 25 schedule was set?</p>
<p style="text-align: right;">Page 63</p> <p>1 Q. And were there any disagreements about early 2 voting on campus in the general election for 2018? 3 A. Yes. 4 Q. And what were some of those disagreements? 5 MR. SEAQUIST: Form. 6 A. They're the disagreements in this lawsuit. 7 Q. (BY MR. CUSICK) And how would you 8 characterize those disagreements? 9 MR. SEAQUIST: Form. 10 A. From what is in this lawsuit, telling us 11 they were not getting the ample amount of hours on 12 the university as in early voting and at the right 13 time. 14 Q. (BY MR. CUSICK) Any others? 15 A. No. 16 Q. Were there any issues that were raised about 17 discrimination? 18 A. No. 19 MR. SEAQUIST: Form. 20 Q. (BY MR. CUSICK) And then I know before 21 March of 2017, you are not election administrator, 22 but did the previous election administrator, 23 Mr. Teed, discuss any issues with on-campus voting of 24 students? 25 A. Not with me.</p>	<p style="text-align: right;">Page 65</p> <p>1 A. Correct. 2 Q. And were there any disagreements about early 3 voting locations from students during your first time as 4 election administrator? 5 A. No. 6 Q. Or hours? 7 A. No. 8 Q. Is it fair to say that disagreements about 9 early voting allocation keep coming up in Waller County? 10 MR. SEAQUIST: Form. 11 A. It -- can you repeat that or rephrase that? 12 Q. (BY MR. CUSICK) Is it fair to say that 13 students have continued to have disagreements about 14 early voting on campus in Waller County? 15 MR. SEAQUIST: Object to the form. 16 A. Yes. 17 Q. (BY MR. CUSICK) And why is that, to your 18 understanding? 19 A. Due to location and times at that location. 20 Q. And these disagreements are from complaints by 21 Prairie View A&amp;M students to you? 22 MR. SEAQUIST: Objection to form. 23 A. No. 24 Q. (BY MR. CUSICK) How do you -- how do you 25 become aware about the disagreements, then?</p>

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<p style="text-align: right;">Page 66</p> <p>1 A. I've had no complaints given to me 2 personally by any students as far as hours and 3 locations. 4 Q. Have you read any newspaper articles where 5 students have made complaints about it? 6 A. I've read newspaper articles where they've 7 discussed their complaints about the hours and 8 locations. 9 Q. So even if they're not directly addressed to 10 you, you're aware that there are complaints by Prairie 11 View A&amp;M students? 12 A. Correct, and articles after this lawsuit was 13 filed. 14 Q. And none before this lawsuit? 15 A. Not -- no. 16 Q. And knowing that there are these issues that 17 students are making complaints about, do you conduct any 18 outreach to understand or resolve them? 19 A. Been conducting outreach. 20 Q. And have you met with any students to resolve 21 the complaints? 22 MR. SEAQUIST: Form. 23 A. I meet with them, the Student Government 24 Association, as well as the sororities and the 25 fraternities there.</p>	<p style="text-align: right;">Page 68</p> <p>1 Q. And Mr. Barnes is a student? 2 A. Yes. 3 Q. Current student? 4 A. Uh-huh. 5 Q. You mention you meet with a professor? 6 A. Sometimes their professor will call and set 7 it up. 8 Q. Is that like a faculty adviser -- 9 A. Correct. 10 Q. -- to the student government? 11 A. Uh-huh. 12 Q. And so you mentioned sororities and 13 fraternities. What sororities do you meet with? 14 A. The Alphas, the Kappas. I met with them 15 just several weeks ago on a Saturday about the 16 election procedures. 17 Q. And did you meet with the same sororities in 18 advance of the 2018 election? 19 A. Yes. I do -- 20 Q. Every year? 21 A. -- every election. 22 Q. And what about what fraternities? 23 A. The Kappas -- or the Alphas. I'm sorry. 24 They're the Alphas. The others are the Kappas. 25 Q. And so earlier -- earlier in the deposition,</p>
<p style="text-align: right;">Page 67</p> <p>1 Q. (BY MR. CUSICK) And during these meetings, 2 do you discuss early voting locations? 3 A. No. 4 Q. Do you discuss early voting hour allocation? 5 A. No. 6 Q. Aside from the student government, the 7 fraternities and the sororities, are there any other 8 groups that you meet or work with? 9 A. No. 10 Q. Do you speak at all with any students 11 individually outside of these three groups? 12 A. No. 13 Q. And for the 2017 school year, we'll say from 14 September to May, do you remember who the student 15 government president was? 16 A. No. It was -- it was a guy. There's a 17 female that's the president now. I believe her name 18 is Princess. 19 Q. And so what about from September 2017 until -- 20 or, I guess, who -- who was the student council 21 president during the 2018 general election? 22 A. I'm not sure if he was the president, but 23 I've met with Jamar Barnes. He's usually the one 24 that sets it up, or a lot of times, their professor 25 sets it up, as well.</p>	<p style="text-align: right;">Page 69</p> <p>1 you mentioned complaints about an October meeting at the 2 Commissioners Court? 3 A. Correct. 4 Q. Do you regularly attend Commissioners Court 5 meetings? 6 A. If I have something on the agenda, I do, or 7 that I know that will need a discussion. 8 Q. Does that mean that only if you're speaking or 9 something might come up where you need to give advice, 10 you attend? 11 A. Uh-huh. Correct. 12 MR. SEAQUIST: Mr. Cusick, we've been 13 going for a little over an hour. When you get to a 14 spot that's convenient to take a break, I'd ask that 15 we take a quick break. 16 MR. CUSICK: Sure. Ten minutes? 17 MR. SEAQUIST: Sure. 18 Q. (BY MR. CUSICK) Is that okay with you? 19 A. That's fine. 20 Q. And so my apologies. I went to a commuter 21 school. 22 The Alphas and the Kappas are 23 fraternities? 24 A. A fraternity and a sorority, I think. 25 Whichever one. The Alphas and the -- I don't know.</p>

<p style="text-align: right;">Page 70</p> <p>1 The girl and the boy one.</p> <p>2 Q. Gotcha.</p> <p>3 Could it be the Deltas?</p> <p>4 A. Yes.</p> <p>5 Q. The AKAs?</p> <p>6 A. Yes, yes. You're right.</p> <p>7 Q. Do you know how long Prairie View A&amp;M has</p> <p>8 existed as an institution in Waller County?</p> <p>9 A. I don't.</p> <p>10 Q. Would you consider Prairie View A&amp;M students as</p> <p>11 one of the largest voting groups in Waller County?</p> <p>12 A. One of the largest. Not the largest.</p> <p>13 Q. And what would be the largest?</p> <p>14 A. You're speaking of people that actually --</p> <p>15 those that actually vote, or are you speaking of just</p> <p>16 registered voters count?</p> <p>17 Q. Let's say registered voters first.</p> <p>18 A. The count? No, they're probably third.</p> <p>19 Q. And then people who actually vote?</p> <p>20 A. No, they're -- they're way down the list.</p> <p>21 I'm not exactly sure percentage-wise.</p> <p>22 Q. So would you say that Prairie View A&amp;M</p> <p>23 students -- strike that.</p> <p>24 Do Prairie View A&amp;M students use early</p> <p>25 voting at a high rate?</p>	<p style="text-align: right;">Page 72</p> <p>1 about when Waller County [as spoken] was founded as an</p> <p>2 institution. Would it surprise you that it was 1876?</p> <p>3 MR. SEAQUIST: Object to the form.</p> <p>4 You said Waller County, but I assume</p> <p>5 you meant Prairie View A&amp;M?</p> <p>6 MR. CUSICK: Yes, thank you.</p> <p>7 A. Does it surprise me, no.</p> <p>8 Q. (BY MR. CUSICK) And why is that?</p> <p>9 A. Why doesn't it surprise me?</p> <p>10 Q. Do they have a big presence in the community?</p> <p>11 A. The Prairie View --</p> <p>12 Q. The university.</p> <p>13 MR. SEAQUIST: Form.</p> <p>14 A. Meaning in the entire county?</p> <p>15 Not that I know of, no.</p> <p>16 MR. CUSICK: I think -- off the</p> <p>17 record.</p> <p>18 MR. SEAQUIST: Take a break?</p> <p>19 (Recess taken.)</p> <p>20 Q. (BY MR. CUSICK) Hello again.</p> <p>21 A. Hello again.</p> <p>22 Q. Just want to follow up on a quick thread that</p> <p>23 we were discussing before.</p> <p>24 You had mentioned that you met with</p> <p>25 the SGA, sororities and fraternities during each</p>
<p style="text-align: right;">Page 71</p> <p>1 MR. SEAQUIST: Form.</p> <p>2 A. Since I've been here, it was a -- yeah, high</p> <p>3 in this last election.</p> <p>4 Q. (BY MR. CUSICK) In the 2018 general</p> <p>5 election?</p> <p>6 A. Uh-huh.</p> <p>7 Q. And why do you think that is?</p> <p>8 MR. SEAQUIST: Form.</p> <p>9 A. I don't know. I don't know. Possibly it</p> <p>10 was a -- they were voting for -- they had a candidate</p> <p>11 there that they were supporting that was on campus.</p> <p>12 Q. (BY MR. CUSICK) What about for the 2018</p> <p>13 primaries?</p> <p>14 A. I don't remember. I don't remember how high</p> <p>15 it was that they voted.</p> <p>16 Q. And so you mentioned before that Prairie View</p> <p>17 A&amp;M students for registered voters are the third</p> <p>18 biggest?</p> <p>19 A. Yes.</p> <p>20 Q. What's the first biggest?</p> <p>21 A. Precinct 206 and 207, it's going to be your</p> <p>22 Fields Store precinct in Waller.</p> <p>23 Q. And then 309 is Prairie View A&amp;M?</p> <p>24 A. Correct.</p> <p>25 Q. And then I know I asked the question before</p>	<p style="text-align: right;">Page 73</p> <p>1 election cycle?</p> <p>2 A. Uh-huh.</p> <p>3 Q. And during the 2017 election cycle, when you</p> <p>4 met with the Student Government Association, did you</p> <p>5 discuss allocation of early voting on campus?</p> <p>6 A. No.</p> <p>7 Q. I'm sorry. Does that include location and</p> <p>8 hours?</p> <p>9 A. Yes.</p> <p>10 Q. What about with the -- any of the sororities</p> <p>11 for 2017?</p> <p>12 A. No.</p> <p>13 Q. With the -- any of the fraternities?</p> <p>14 A. No.</p> <p>15 Q. And did any of these discussions during the</p> <p>16 2018 -- or strike that.</p> <p>17 You mentioned you met with them in</p> <p>18 2018, as well?</p> <p>19 A. Yes.</p> <p>20 Q. And that was for the primary in addition to the</p> <p>21 general election?</p> <p>22 A. Yes.</p> <p>23 Q. And was there any discussion during the meeting</p> <p>24 with the Student Government Association about allocation</p> <p>25 of hours or locations for the --</p>

<p style="text-align: right;">Page 74</p> <p>1 A. No.</p> <p>2 Q. -- primary?</p> <p>3 A. No.</p> <p>4 Q. Sororities?</p> <p>5 A. No.</p> <p>6 Q. And the fraternities?</p> <p>7 A. No.</p> <p>8 Q. And then the same question for the 2018 general</p> <p>9 election?</p> <p>10 A. No.</p> <p>11 Q. For each of the Student Government</p> <p>12 Associations?</p> <p>13 A. No.</p> <p>14 Q. The sororities?</p> <p>15 A. No.</p> <p>16 Q. The Deltas?</p> <p>17 A. No.</p> <p>18 Q. Or fraternities.</p> <p>19 What was the general conversation with</p> <p>20 the student government about in any of those years?</p> <p>21 A. Voter registration mostly, changes of</p> <p>22 address for the addressing problem that we were</p> <p>23 having, volunteer deputy registrars, that is,</p> <p>24 actually deputizing students that could go out and</p> <p>25 register others to vote and accept their applications</p>	<p style="text-align: right;">Page 76</p> <p>1 A. That is what I read.</p> <p>2 Q. But you were election administrator at that</p> <p>3 time?</p> <p>4 A. No.</p> <p>5 Q. There were no threats of prosecution in the</p> <p>6 1990s for students who voted?</p> <p>7 MR. SEAQUIST: Form.</p> <p>8 A. Not -- not that -- not that I remember.</p> <p>9 Q. (BY MR. CUSICK) Were there any instances of</p> <p>10 the federal government's involvement, the Department</p> <p>11 of Justice, conducting an investigation during your</p> <p>12 first --</p> <p>13 A. No.</p> <p>14 MR. SEAQUIST: Form.</p> <p>15 A. When I left.</p> <p>16 MR. SEAQUIST: Object to the form.</p> <p>17 Q. (BY MR. CUSICK) When you started or when</p> <p>18 you were appointed in 2017, were there any ongoing</p> <p>19 obligations under federal court relating to voter</p> <p>20 discrimination?</p> <p>21 A. No.</p> <p>22 MR. SEAQUIST: Object to the form.</p> <p>23 Q. (BY MR. CUSICK) Are you aware of any from</p> <p>24 the -- from the -- from Dan Teed prior to your start?</p> <p>25 A. Correct. Yes.</p>
<p style="text-align: right;">Page 75</p> <p>1 back.</p> <p>2 Q. And anything else?</p> <p>3 A. No.</p> <p>4 Q. And then so earlier you mentioned you've read</p> <p>5 materials relating to this lawsuit.</p> <p>6 Have you read any of the expert</p> <p>7 reports that plaintiffs disclosed to you through</p> <p>8 counsel?</p> <p>9 A. Yes.</p> <p>10 Q. Did you read Dr. Joseph Pinyell's expert</p> <p>11 report?</p> <p>12 A. I don't recall his name, but if it was one</p> <p>13 of them, I did, yes.</p> <p>14 Q. And so we mentioned, spoke a little bit earlier</p> <p>15 about the history of voting rights --</p> <p>16 A. Yes.</p> <p>17 Q. -- on Prairie View A&amp;M's campus.</p> <p>18 Are you aware or from your</p> <p>19 recollection with reading his report that there was a</p> <p>20 case involving discrimination against students that</p> <p>21 went up to the Supreme Court?</p> <p>22 A. Yes.</p> <p>23 Q. During your time as election administrator the</p> <p>24 first time, are you aware that there were threats of</p> <p>25 prosecution for students who voted?</p>	<p style="text-align: right;">Page 77</p> <p>1 Q. And what was that?</p> <p>2 A. I do know that they had a -- a volunteer</p> <p>3 deputy registrar program that they had a schedule</p> <p>4 that they had to present on campus, but I do</p> <p>5 believe -- or I know that this had already been</p> <p>6 listed when I became election administrator in 2017.</p> <p>7 Q. And I know you're referring to a consent order?</p> <p>8 A. I believe so, yes.</p> <p>9 Q. And was that from the Department of Justice?</p> <p>10 MR. SEAQUIST: Form.</p> <p>11 A. I believe so.</p> <p>12 Q. (BY MR. CUSICK) Or was the Department of</p> <p>13 Justice overseeing that consent order?</p> <p>14 MR. SEAQUIST: Form.</p> <p>15 A. I believe so.</p> <p>16 Q. (BY MR. CUSICK) I want to talk now a little</p> <p>17 bit about transportation on campus for Prairie View</p> <p>18 A&amp;M students.</p> <p>19 Is it your impression that -- what is</p> <p>20 your impression of the vehicle ownership rate of</p> <p>21 Prairie View A&amp;M students?</p> <p>22 A. I have no -- absolutely no idea.</p> <p>23 Q. Do you have any sense how many students have</p> <p>24 access to a car on campus?</p> <p>25 A. No, I don't.</p>



<p style="text-align: right;">Page 78</p> <p>1 Q. If students don't have access to a car, what 2 other alternative modes of transportation are available 3 for students to take? 4 MR. SEAQUIST: Form. 5 A. I don't know. I have seen shuttles there, 6 but I don't know what other mode they have. 7 Q. (BY MR. CUSICK) Is there any -- is the 8 shuttle considered public transportation? 9 MR. SEAQUIST: Form. 10 A. I don't know. 11 Q. (BY MR. CUSICK) Is there any public 12 transportation in Waller County? 13 MR. SEAQUIST: Form. 14 A. I don't know. 15 Q. (BY MR. CUSICK) You mentioned there was a 16 shuttle service. Is that -- 17 A. Yes. 18 Q. Do you know if that's private or public? 19 A. I don't know. I've seen Prairie View A&amp;M 20 University written on the bus. 21 Q. And for the Prairie View A&amp;M shuttle service, 22 we'll say, do you know how extensive that route is? 23 A. I don't. 24 Q. Do you know if it just is on campus? 25 A. I don't.</p>	<p style="text-align: right;">Page 80</p> <p>1 paths to get to different locations throughout the city? 2 MR. SEAQUIST: Form. 3 A. Are you -- on campus, there are paths and 4 sidewalks. 5 Q. (BY MR. CUSICK) Are you familiar with the 6 St. Francis of Assisi Church in Prairie View? 7 A. Yes. 8 Q. Do you remember if that was the location in 9 2016 for early voting on campus? 10 A. I don't remember. I know it was used. I 11 don't know what election it was for. 12 Q. Do you know if walking from, let's say, the 13 Memorial Student Center as a general point in Prairie 14 View, that it was walkable from that point to the 15 church? 16 A. Yes. 17 Q. Is that because there's sidewalks? 18 MR. SEAQUIST: Form. 19 A. There's sidewalks. 20 Q. (BY MR. CUSICK) The entire length? 21 A. I don't know. 22 Q. Do you have to cross any streets? 23 A. I think so. 24 Q. Do you have to cross any highways? 25 MR. SEAQUIST: Form.</p>
<p style="text-align: right;">Page 79</p> <p>1 Q. So you wouldn't know if it comes to the 2 courthouse as a route? 3 A. I don't know. 4 Q. Does Waller County operate any public trains? 5 A. No. 6 Q. Public buses? 7 A. Not that I know of. 8 Q. Is there a bike share program? I don't know if 9 Houston -- a bike share program that's available to 10 Waller County residents similar to what other cities in 11 Texas use? 12 A. I don't know. 13 Q. Is Waller County walkable, generally? 14 MR. SEAQUIST: Form. 15 A. I guess it depends on where you're walking 16 to. 17 Q. (BY MR. CUSICK) That's true. 18 Let's go with Prairie View. Is 19 Prairie View walkable? 20 MR. SEAQUIST: Form. 21 A. Yes. In my opinion, yes. 22 Q. (BY MR. CUSICK) And is that because there 23 are sidewalks throughout the city? 24 A. Yes, there are sidewalks. 25 Q. And it's walkable because there are accessible</p>	<p style="text-align: right;">Page 81</p> <p>1 A. I don't know. 2 Q. (BY MR. CUSICK) Have you ever walked from 3 the Memorial Student Center to the church? 4 A. No. 5 Q. During election, let's say it's early voting 6 day, for example, do you -- are you required to visit 7 different locations? 8 A. I do. 9 Q. And is the same for the general election? 10 A. I do. 11 Q. And how do you get from location to location? 12 A. I drive my car. 13 Q. And does anyone else -- or how many people work 14 within your office as election administrator? 15 A. There's four. 16 Q. Four? 17 And are they similarly going from 18 location to location, let's say, during an early 19 voting day? 20 A. No. 21 Q. Just you? 22 A. And I don't every day. I go and check on 23 them periodically. 24 Q. And when you're going to check, what are you 25 reviewing when you're at the locations?</p>

<p style="text-align: right;">Page 82</p> <p>1 A. If I'm taking them supplies that they're 2 running out of, I will make sure their distance 3 markers are where they should be. 4 Q. Like the 100-foot mark? 5 A. Correct. 6 Basically checking with the judges to 7 make sure their equipment is running smoothly, if 8 they're having any problems or if they need anything 9 from my office. 10 Q. And if there are issues that are -- that 11 happen, do you document those? 12 A. Yes. 13 Q. And in addition to the -- hopefully I didn't 14 miss any -- the supplies, issues with the distance, the 15 election judge, is that the title? 16 A. Correct. Uh-huh. 17 Q. Do you also take into consideration if there 18 are long lines? 19 A. Yes. 20 Q. Voting machine malfunctions? 21 A. Yes. 22 Q. Any complaints about someone being turned away, 23 not -- 24 A. Yes. 25 Q. -- allowed to vote?</p>	<p style="text-align: right;">Page 84</p> <p>1 2018 general election, were those disclosed through 2 discovery? 3 A. Repeat that. Were they disclosed? 4 Q. I can -- I can -- so you mentioned that you're 5 the custodian if -- for any documented reports from an 6 election judge of issues that arise at a polling 7 location, and so 2018, for the general election, do you 8 have any reports that you have about -- about issues 9 or -- 10 A. No. Those are not -- they're not reports as 11 far as complaints. They're paperwork that they have 12 to fill out as far as at the end of the period, was 13 the machine still running properly, were there lines 14 left. That type of paperwork that they file. It's 15 their normal paperwork. It's not a report in 16 addition to what they do every day and have to turn 17 in. 18 Q. And are these, say, paperwork -- 19 A. Correct. 20 Q. -- was this paperwork disclosed to plaintiffs? 21 A. No. 22 MR. SEAQUIST: I'm not sure that that 23 was responsive to the request, but if you want to 24 point it out to me, I'd be happy to look at it. I 25 don't remember seeing those.</p>
<p style="text-align: right;">Page 83</p> <p>1 In 2018, did you go to any locations, 2 I guess in the Precinct 309, where students discussed 3 issues with voting based on the addressing issue with 4 you directly? 5 A. When I went to the locations, did any 6 students? 7 Q. Yeah. 8 Did you have any interaction with 9 students during the 2018 where you would have 10 documented complaints? 11 A. No complaints, no. 12 Q. Any issues that were raised with you? 13 A. If some students saw me, they might have 14 asked me a question about the election, but no 15 complaints, no. 16 Q. Does the election judge document problems or 17 issues during each day? 18 A. Yes. They have paperwork that they have to 19 fill out. 20 Q. And those -- that paperwork is stored in your 21 office? 22 A. Correct. 23 Q. So you're the custodian of that? 24 A. Correct. 25 Q. Were there -- any issues that arose during the</p>	<p style="text-align: right;">Page 85</p> <p>1 THE WITNESS: No, it wasn't. 2 MR. CUSICK: Okay. We'll follow up. 3 MR. SEAQUIST: Sounds good. 4 Q. (BY MR. CUSICK) So I have a question about 5 the occupancy for how many voters at one time can be 6 in a specific facility or location. 7 A. Uh-huh. 8 Q. And do you know offhand how many can for the 9 community center in Prairie View City? 10 A. How many people can -- I don't know what the 11 occupancy is, but it's a large building. It's just 12 as much -- it's a large open building, so -- 13 Q. What about for the Memorial Student Center? 14 A. No. The Memorial Student Center, the 15 polling booths or voting booths are set up behind the 16 chairs in the auditorium, so it's just a strip along 17 the back of the auditorium in the entryway. 18 Q. And then, so we've spoken a little bit earlier 19 about how early voting and election day schedules are 20 devised briefly, but I want to try to get a little 21 better sense of how this happens, and so could you walk 22 me through an election plan schedule in general, how 23 it's first developed for the general election until it's 24 produced through public notice? 25 A. Meaning an early voting schedule or an</p>

<p style="text-align: right;">Page 86</p> <p>1 election day polling location schedule?</p> <p>2 Q. Let's do early voting locations first.</p> <p>3 A. Early voting locations is based on usually</p> <p>4 the locations that have been used in the past. Like</p> <p>5 I said before, the county seat is always remaining</p> <p>6 early voting location, which will always be open.</p> <p>7 Our county is stretched out. As you</p> <p>8 know, the shape of our county is very long. There's</p> <p>9 four cities within the county. The larger cities,</p> <p>10 which is Hempstead, Prairie View, Waller and</p> <p>11 Brookshire, you try to set locations in those larger</p> <p>12 areas to accommodate those people.</p> <p>13 In the middle of Waller County, it's a</p> <p>14 very rural area, stretches out. Of course, the</p> <p>15 population is not there that it is in the city, so</p> <p>16 you sometimes put a location there, but you don't</p> <p>17 need a location there for the entire period of early</p> <p>18 voting just due to the population and the voter</p> <p>19 turnout.</p> <p>20 Based on their past voter turnout as</p> <p>21 well as how many are registered that even possibly</p> <p>22 did not vote but that could vote, we use that as a</p> <p>23 marker on where to open an early voting location.</p> <p>24 We also try to put the same amount in</p> <p>25 each commissioner precinct, as well. There are four</p>	<p style="text-align: right;">Page 88</p> <p>1 times they might look over it and say, why don't we</p> <p>2 tweak this, why don't we tweak that, move this, move</p> <p>3 that. We make those changes then. They approve</p> <p>4 those changes, and then it's sent to Commissioners</p> <p>5 Court for final approval.</p> <p>6 Q. And so --</p> <p>7 A. And that is in a general election.</p> <p>8 Q. And so after input from the chairs, chairs of</p> <p>9 either party, there's no additional input from any other</p> <p>10 Waller County residents?</p> <p>11 A. No.</p> <p>12 Q. And no other input from Waller County -- strike</p> <p>13 that.</p> <p>14 No input from the Secretary of State's</p> <p>15 office?</p> <p>16 A. No.</p> <p>17 Q. As you're in the first phase of developing an</p> <p>18 initial plan, do you seek any input from the</p> <p>19 Commissioners Court, then, on questions?</p> <p>20 A. No.</p> <p>21 Q. So the first time the Commissioners Court is</p> <p>22 seeing a proposed schedule is the first time they're</p> <p>23 weighing in on it?</p> <p>24 A. Correct.</p> <p>25 Q. And this was the same process that's been in</p>
<p style="text-align: right;">Page 87</p> <p>1 commissioner precincts in Waller County, and based on</p> <p>2 the election of what the election is -- for example,</p> <p>3 we have an election in November. It's only a</p> <p>4 constitutional amendment election. Of course, it</p> <p>5 won't bring out the voters that a presidential</p> <p>6 election would bring. Therefore, you don't open --</p> <p>7 we wouldn't open as many early voting locations as we</p> <p>8 would in a more busy election. Basically that is how</p> <p>9 the early voting locations are comprised.</p> <p>10 And in Prairie View, as that being one</p> <p>11 of my hubs and one of my cities in our county, I have</p> <p>12 to -- since there has been the request you have early</p> <p>13 voting locations in the city as well as on campus, I</p> <p>14 take that hub and I split it into two and divide the</p> <p>15 times, or try to divide the times equally between the</p> <p>16 two, whereas, Waller or Hempstead or Brookshire</p> <p>17 doesn't have any other larger entity to divide it</p> <p>18 with, so they therefore would get the whole amount of</p> <p>19 time.</p> <p>20 Q. And so you mentioned some of the criteria that</p> <p>21 you consider in drafting an initial plan, and then who</p> <p>22 next sees that plan?</p> <p>23 A. After I do the plan is where I think it</p> <p>24 should be, I submit it to the party chairmen for them</p> <p>25 to look at. Based on their recommendation, a lot of</p>	<p style="text-align: right;">Page 89</p> <p>1 place in 2017 --</p> <p>2 A. Correct.</p> <p>3 Q. -- '18?</p> <p>4 And I know you mentioned before that</p> <p>5 funding is initially approved by the Commissioners</p> <p>6 Court for the general allotment that your office has</p> <p>7 for an election?</p> <p>8 A. Correct.</p> <p>9 Q. Is that source of the funding County? Is</p> <p>10 that -- does that come from the County, the source of</p> <p>11 the funding?</p> <p>12 A. Yes.</p> <p>13 Q. And who decides how much funding your office</p> <p>14 receives?</p> <p>15 A. I, as the department head, submit a budget</p> <p>16 request yearly. The budget committee oversees that</p> <p>17 request and makes recommendations on my budget, and</p> <p>18 that goes for approval through the Commissioners</p> <p>19 Court.</p> <p>20 Q. Is your initial recommendation for a budget --</p> <p>21 strike that.</p> <p>22 For 2017, was your initial</p> <p>23 recommendation for a budget approved before any -- or</p> <p>24 were there changes that were made?</p> <p>25 A. There's always changes.</p>

<p style="text-align: right;">Page 90</p> <p>1 Q. Yes. I guess generally, are the changes to 2 decrease the amount that you're requesting? 3 A. The changes were still adequate enough for 4 me to -- to -- to have -- they were still adequate 5 enough for me to run my office. 6 Q. And from the fiscal year 2017 compared to the 7 2018 year, was there any change in the amount of funding 8 that was approved? 9 A. In an elections office, there's always a 10 change every other year. You have a gubernatorial or 11 a Presidential election, then you have an off 12 election year. Every other year we mail mass cards 13 out to everyone in the county, so one year you might 14 have a lower budget, the next year you have a high 15 budget, but -- so it changes as far as that aspect 16 goes but other than that, no. 17 Q. So for the 2018 election, with it being a 18 midterm, would it be accurate to say you had a higher 19 budget than in 2017? 20 A. Yes. Correct. 21 Q. Do you know offhand how much funding is 22 allocated -- strike that. 23 Is the amount of money allocated for 24 the specific type of election, like general, primary, 25 or is it just one big funding source?</p>	<p style="text-align: right;">Page 92</p> <p>1 Q. (BY MR. CUSICK) For the funding needs to -- 2 A. For the funding, correct. What is needed, 3 yes. 4 Q. You spoke earlier about machine allocation in 5 an election and you said that that's within your purview 6 for assigning or allocating in early voting as well as 7 the general? 8 A. Correct. 9 Q. And how is that decision made or what -- strike 10 that. 11 What criteria do you take into 12 consideration? 13 A. I take into consideration the -- what 14 election it is that we're actually in, whether it's 15 an off election such as a constitutional amendment 16 election or if it's a general election. Of course, 17 I'd use more machines because the turnout would be 18 greater. Anytime, for example, in Prairie View, on 19 campus, if there were longer lines, I did what I 20 could to make -- remedy that situation by using more 21 machines, and also, actually, in that actual 22 precinct, we did double machines, so we actually had 23 two polling locations open in that one precinct. 24 Other places may have a low turnout. 25 They may only need three machines, whereas some that</p>
<p style="text-align: right;">Page 91</p> <p>1 A. It's one funding source, but you have to 2 remember the County doesn't fund a primary election. 3 The parties fund the primary election. 4 Q. So the funding is only for, like, a November or 5 county-wide? 6 A. The County funds early voting in a primary 7 election but not the actual election cost of election 8 day. 9 Q. Does anyone else in your office participate in 10 the budget process? 11 A. I have one girl, of course, in my office 12 that's more of our office manager. She definitely 13 has input as far as the office supply amount that we 14 use, printing amount, things like that, but 15 initially -- or after that, I actually put the 16 numbers together and submit my budget. 17 Q. Is there anyone else outside of your office and 18 outside of the Commissioners Court that you consult with 19 for a budget? 20 A. No. 21 Q. Would it be accurate to say that in your role 22 as election administrator, you're the person in the 23 Waller County government who has the most familiarity 24 with the needs for an election? 25 MR. SEAQUIST: Form.</p>	<p style="text-align: right;">Page 93</p> <p>1 have a very high turnout such as in the Fields Store 2 area or the main locations, especially in early 3 voting, like here at the courthouse, or in Prairie 4 View, they would need more machines. 5 Q. Talking a little bit about machines during 6 early voting cycle, are they generally kept in one 7 location or do you rely on using the same machine at 8 multiple locations, potentially? 9 A. During early voting? 10 Q. Yes. 11 A. You try to use the same machines at each 12 location simply because once you use a machine during 13 early voting, by Texas election law, you can't use 14 that same machine on election day so, therefore, when 15 you allocate your machines in early voting, you have 16 to move them around in a way that you're not having 17 to pull from your reserve that you use on election 18 day so, therefore, when I open a precinct or a box, 19 for example, the Prairie View box, those machines 20 have to be used consistently right after another, 21 meaning that I could not use three days open, for 22 example, at the campus box and use those machines, 23 then take those machines and move them to a Hempstead 24 box and then go back to Prairie View again. They 25 have to remain in those same -- in those same areas.</p>

<p style="text-align: right;">Page 94</p> <p>1 So by the Prairie View precinct where</p> <p>2 I have to split them and move them from location to</p> <p>3 location, I have to set the schedule where they're</p> <p>4 right behind each other so that I can move machines</p> <p>5 from one place to the next. If I did not do that,</p> <p>6 then I would have to open each location with its own</p> <p>7 set of machines and, therefore, we wouldn't have</p> <p>8 enough to -- from our reserve to pull from to be able</p> <p>9 to do that. Of course, the more early voting</p> <p>10 locations that you open up, that means the less</p> <p>11 machines that you have that you can use on election</p> <p>12 day.</p> <p>13 Q. And you mentioned reserves.</p> <p>14 How many are -- how many machines are</p> <p>15 set aside as reserves in the early voting cycle?</p> <p>16 MR. SEAQUIST: Form.</p> <p>17 A. This last election -- of course, it's going</p> <p>18 to be different in every election. This last</p> <p>19 election, we started with ten in reserve, and at the</p> <p>20 time, we added to -- one box, which was the Hempstead</p> <p>21 box. We added machines to this box, as well, so by</p> <p>22 the time that it was over, I think we had three left.</p> <p>23 Q. (BY MR. CUSICK) And when you're factoring</p> <p>24 in those decisions to the reserve boxes, could those</p> <p>25 be used as part of the general election?</p>	<p style="text-align: right;">Page 96</p> <p>1 would it be accurate to say that as election</p> <p>2 administrator, you would be the person in county</p> <p>3 government, Waller County government, who is most</p> <p>4 familiar with the County's voting equipment inventory?</p> <p>5 A. Myself and the auditor.</p> <p>6 Q. And the auditor purviews the machines after</p> <p>7 elections?</p> <p>8 A. No, I just meant my inventory of how many we</p> <p>9 have there.</p> <p>10 Q. Do you remember how many machines were in use</p> <p>11 for 2018 for the early voting cycle?</p> <p>12 A. I don't without -- I did not -- not adding</p> <p>13 them together. I -- I think it was probably in some</p> <p>14 of our discovery, but I don't have it right here in</p> <p>15 front of me.</p> <p>16 Q. Did Precinct 309 have the highest rate of early</p> <p>17 voting for the primary in 2019?</p> <p>18 A. No.</p> <p>19 As far as machines or votes?</p> <p>20 Q. For votes.</p> <p>21 MR. SEAQUIST: Form.</p> <p>22 A. No.</p> <p>23 Q. (BY MR. CUSICK) What about for the general</p> <p>24 in 2018?</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 95</p> <p>1 A. If they have not been opened, if the seals</p> <p>2 have not been broken, they have not been opened in</p> <p>3 early voting.</p> <p>4 Q. And what -- what would -- what would -- why</p> <p>5 would you go into your reserves?</p> <p>6 A. The reserves that I have set back for</p> <p>7 election day --</p> <p>8 Q. Yes.</p> <p>9 A. -- I mean, for early voting?</p> <p>10 Q. Correct.</p> <p>11 A. For example, this past one, the 2018</p> <p>12 election, we had our main early voting here in</p> <p>13 Hempstead. I think I had -- initially, we had set</p> <p>14 six machines, I believe, for this location. The</p> <p>15 lines started getting long. We were having an influx</p> <p>16 of people who were waiting outside so we needed to</p> <p>17 add more machines so I went to my reserve, pulled</p> <p>18 enough machines to add to this to make their line</p> <p>19 shorter and to get people in and out quicker.</p> <p>20 Q. And are the machines moved that day or do the</p> <p>21 machines open up the reserve machines for the -- that</p> <p>22 next day?</p> <p>23 A. No, our -- in this past election, I did it</p> <p>24 right away. I brought them in right away.</p> <p>25 Q. Because of your familiarity with the machines,</p>	<p style="text-align: right;">Page 97</p> <p>1 Q. You mentioned before some of the criteria for</p> <p>2 determining allocation of early voting precinct, for</p> <p>3 locations.</p> <p>4 Is there a set policy for determining</p> <p>5 where polling places are going to be selected in your</p> <p>6 office?</p> <p>7 A. Is there a procedure on where they will be</p> <p>8 located?</p> <p>9 Q. Or policy that you use as guidance for making</p> <p>10 these determinations?</p> <p>11 A. That's what we discussed earlier about</p> <p>12 the -- the past turnout, what election it is, how</p> <p>13 many are registered to vote there.</p> <p>14 Q. And then I know we've spoken a lot about early</p> <p>15 voting.</p> <p>16 Would it also be fair to say in your</p> <p>17 role as election administrator, that you're the</p> <p>18 person within the Waller County government with the</p> <p>19 greatest familiarity with the early voting logistics?</p> <p>20 MR. SEAQUIST: Form.</p> <p>21 A. As far as statistic and the records, what I</p> <p>22 have on record, yes.</p> <p>23 Q. (BY MR. CUSICK) I'm sorry, maybe I --</p> <p>24 for -- what about for logistic purposes?</p> <p>25 MR. SEAQUIST: Form.</p>

25 (Pages 94 - 97)



<p style="text-align: right;">Page 98</p> <p>1 A. Yes.</p> <p>2 Q. (BY MR. CUSICK) If there are disagreements</p> <p>3 in the process for early voting in the second step</p> <p>4 when you're talking with the party chairs, if there</p> <p>5 are disagreements, how are those disagreements</p> <p>6 resolved for determining a location of an early vote</p> <p>7 location?</p> <p>8 A. Well, if it can't be -- I've never had that</p> <p>9 instance that we have not been able to resolve them</p> <p>10 within -- within ourselves.</p> <p>11 Q. And then under the policy, though, if there --</p> <p>12 if there was a disagreement, who would be the ultimate</p> <p>13 decider to resolve that disagreement? Would that be</p> <p>14 you?</p> <p>15 A. I would go ahead -- because as you remember,</p> <p>16 it's not law that -- that I even have to ask the</p> <p>17 party chairman for a recommendation, although I</p> <p>18 always do. If they did not agree, I would recommend</p> <p>19 my recommendation and then it would go through</p> <p>20 Commissioners Court and they would decide which way</p> <p>21 to go. Of course, at a Commissioners Court meeting,</p> <p>22 the party chair could stand up and -- and make</p> <p>23 that -- give their -- why they didn't want that</p> <p>24 there.</p> <p>25 Q. And you mentioned it's not law. From 19 --</p>	<p style="text-align: right;">Page 100</p> <p>1 reach out to other community groups for input into this</p> <p>2 process?</p> <p>3 A. Simply because, you know, Waller County is</p> <p>4 made up of mainly Democratic and Republican parties.</p> <p>5 We don't have an Independent, an active Independent</p> <p>6 party here. We don't have an active -- any other --</p> <p>7 the Green Party, a Libertarian Party, anything like</p> <p>8 this.</p> <p>9 Anytime you look at your primary</p> <p>10 election results, Waller County is divided into those</p> <p>11 two parties. It's only natural to reach out to them</p> <p>12 for their opinions on -- on where to put the</p> <p>13 locations.</p> <p>14 Q. And in your capacity, just during your current</p> <p>15 tenure, have you attended any public forums where people</p> <p>16 expressed concerns about non-party affiliated interests</p> <p>17 being represented by the county party chairs in this</p> <p>18 process?</p> <p>19 A. Have I been to any forums outside of the</p> <p>20 county?</p> <p>21 Q. No, within the county. I can clarify.</p> <p>22 So for people who are not affiliated</p> <p>23 with either party, have you attended or are you aware</p> <p>24 of any concerns that have been expressed that their</p> <p>25 interests are not represented in this process by a</p>
<p style="text-align: right;">Page 99</p> <p>1 during your first tenure, did you also consult party</p> <p>2 chairs in determining --</p> <p>3 A. Yes, I have always consulted the party</p> <p>4 chair.</p> <p>5 Q. Did -- was that process initiated by you or --</p> <p>6 A. No.</p> <p>7 Q. -- was that the previous practice?</p> <p>8 A. It's been done, yes.</p> <p>9 Q. Do you know the reason why?</p> <p>10 A. Well, basically the law states that the</p> <p>11 party chair, even in a general election, submit a</p> <p>12 list of workers that they want to work as election</p> <p>13 workers in the election, so they do get that. They</p> <p>14 get that courtesy, which is law. They get that</p> <p>15 courtesy with that, so it's just for them to be able</p> <p>16 to have the same courtesy in selecting some of the</p> <p>17 early voting locations and the times that would work</p> <p>18 best for their voters. You try to work with both</p> <p>19 parties to be fair and equal with them.</p> <p>20 Q. And that was -- from your understanding, was</p> <p>21 that the same process during the previous administrator,</p> <p>22 Mr. Teed?</p> <p>23 A. I believe so, yes.</p> <p>24 Q. So if somebody is not affiliated with either</p> <p>25 party, why not reach out -- if it's not law, why not</p>	<p style="text-align: right;">Page 101</p> <p>1 party chair?</p> <p>2 A. The only thing -- the only time that that</p> <p>3 has been brought up was in a Commissioners Court</p> <p>4 meeting, in a discussion when one of the students</p> <p>5 asked why the Democratic chairman was representing --</p> <p>6 or was making that decision for -- for them, that</p> <p>7 what would happen if they were not a Democrat, that</p> <p>8 they may have been from another party.</p> <p>9 Q. Would it surprise you if one of the</p> <p>10 commissioners made a statement saying that many students</p> <p>11 are not affiliated with either party?</p> <p>12 MR. SEAQUIST: Form.</p> <p>13 A. Would I be surprised if a commissioner</p> <p>14 said --</p> <p>15 Q. (BY MR. CUSICK) That many students at</p> <p>16 Prairie View A&amp;M are not affiliated with either</p> <p>17 party?</p> <p>18 A. I wouldn't be surprised, but I didn't hear</p> <p>19 one that said that.</p> <p>20 Q. Do you have a sense of how many students on</p> <p>21 campus are not affiliated with either party?</p> <p>22 A. No.</p> <p>23 Q. Having heard during the October 17th</p> <p>24 meeting -- is that the one you're referencing?</p> <p>25 A. Correct.</p>



<p style="text-align: right;">Page 102</p> <p>1 Q. Having heard students, Prairie View A&amp;M 2 students, mention that their interests were not heard, 3 did you follow up with any of those students? 4 A. Not -- not after that, no. 5 Q. What about for the upcoming 2019 primary 6 election? 7 A. We haven't -- oh, on 2019? 8 Q. Yeah. 9 A. I'm sorry. There wasn't a primary in 2019. 10 Q. What about for this 2019, have you done any 11 outreach for non-party affiliated, not only students but 12 residents of Waller County? 13 A. Coming up in the next primary, we haven't 14 begun the process yet. 15 Q. Have to bear with me just so I can get the nuts 16 and bolts. 17 A. That's okay. 18 Q. Is it the same process for selecting -- same 19 steps, where it goes first you have an initial plan, 20 County, the Republican/Democratic Party chairs weigh in, 21 then it goes to the Commissioners Court for also 22 locations and hours on election day? 23 A. On election day, it's a little bit 24 different. On election day in a county election, 25 county polling locations are already set. They're</p>	<p style="text-align: right;">Page 104</p> <p>1 Q. And there's no policy in place. I know you 2 mentioned it's not in law to involve them, but there's 3 no policy in place in how to solicit their input? 4 A. No, not on the early voting locations. 5 Q. Are you -- do you know if that's the practice 6 in other counties, to involve either the Republican or 7 Democratic Party chairs? 8 A. I wouldn't know offhand. 9 Q. And in this process, why is it important to 10 involve the county chairs? 11 A. Like I said, Waller County is represented by 12 the Democratic and Republican parties here. We do 13 that in a good faith effort to give both of them 14 equal representation throughout the county, as I feel 15 it should be. 16 Q. And then for the 2018 general election, do you 17 remember when the early voting information for locations 18 was first made public? 19 A. September, possibly. I don't have the date 20 right here with me. 21 Q. And when it's made public, is that because it's 22 presented at a Commissioners Court meeting or does the 23 Commissioners Court first review it and then vote on it? 24 A. No, they do not review it first. They vote 25 on it when they review it.</p>
<p style="text-align: right;">Page 103</p> <p>1 the same. By law, you have to set a polling location 2 in each precinct, so those don't change on election 3 day. They stay the same always, unless -- excuse me, 4 unless there's a reason to move them. 5 (Exhibit No. 2 marked.) 6 MR. CUSICK: I'm going to introduce as 7 Exhibit 2 -- unfortunately, it printed out on this 8 longer paper -- as HB1888, which we briefly discussed 9 before, and this will be marked as Eason Exhibit 2. 10 I'm handing a copy to Ms. Eason, one 11 to her county -- or counsel, sorry. 12 Q. (BY MR. CUSICK) I know we talked before, and I 13 understand that the landscape recently changed through 14 this bill which went into effect in September of this 15 year, I think, September 1st? 16 A. Correct. 17 Q. So with that said, though, I'm not going to 18 focus on this document right now. 19 I'd like to talk a little bit more 20 about the process in 2018. 21 Is it fair to say that neither party 22 chair would have veto power over an early voting 23 schedule that was submitted to the Commissioners 24 Court? 25 A. Correct.</p>	<p style="text-align: right;">Page 105</p> <p>1 Q. Do you remember the date for when early voting 2 locations are approved for the 2018 general election? 3 A. I don't remember the exact date, no. 4 Q. Would they be approved in September? 5 MR. SEAQUIST: Form. 6 A. I don't remember what date it was. It 7 possibly could be. 8 (Exhibit No. 3 marked.) 9 MR. CUSICK: I'm introducing into the 10 record exhibit Eason Exhibit 3 which is a document 11 entitled "Expert Report of Dr. Henry Flores." 12 Handing a copy to Ms. Eason, one to 13 her counsel. 14 Q. (BY MR. CUSICK) Ms. Eason, do you recognize 15 this document? 16 A. Yes. 17 Q. And I know earlier you mentioned you read 18 this -- read this report? 19 A. Yes. 20 Q. And I want to first turn our attention to Page 21 14, beginning with the first paragraph on that page that 22 begins with, "Specifically." 23 And then do you mind reading that 24 first paragraph into the record? 25 A. Myself?</p>

27 (Pages 102 - 105)

<p style="text-align: right;">Page 106</p> <p>1 Q. Yes.</p> <p>2 A. "As a result, it appears that the" --</p> <p>3 Q. Sorry. I'm sorry to interrupt. On Page 14,</p> <p>4 the first paragraph.</p> <p>5 A. I'm on 14.</p> <p>6 Q. Oh, sorry. Starting with, "Specifically," the</p> <p>7 first full paragraph.</p> <p>8 A. "Specifically on August 22, 2018, four</p> <p>9 members in attendance at a regularly scheduled</p> <p>10 meeting of the five-member Waller County</p> <p>11 Commissioners Court unanimously approved only the</p> <p>12 early voting locations for the 2018 general election.</p> <p>13 During the public comment portion of the</p> <p>14 August 22nd meeting, a member of the public</p> <p>15 Dr. Denise Mattox, informed the commissioners that</p> <p>16 she had reviewed the proposed list of locations to be</p> <p>17 approved at the meeting and noticed with concern that</p> <p>18 it doesn't have the times. She further stated, 'I</p> <p>19 guess you'll do that at a later date. Hopefully I</p> <p>20 can have input in that.' However, she said, because</p> <p>21 the commissioners had not yet publicized or discussed</p> <p>22 the proposed hours and dates of early voting, that</p> <p>23 there was not enough information to have input on the</p> <p>24 early voting, which is what she was mostly concerned</p> <p>25 about."</p>	<p style="text-align: right;">Page 108</p> <p>1 start later in the cycle so party chairs might be able</p> <p>2 to speak to students on campus?</p> <p>3 MR. SEAQUIST: Object to the form.</p> <p>4 A. Do I believe what should start later?</p> <p>5 Q. (BY MR. CUSICK) The process for determining</p> <p>6 early voting locations.</p> <p>7 MR. SEAQUIST: Same objection.</p> <p>8 A. No. Like I said, there's -- there's certain</p> <p>9 deadlines that we have to meet in order to do this.</p> <p>10 Q. (BY MR. CUSICK) And when you say "we," is</p> <p>11 that your office?</p> <p>12 A. The -- everyone.</p> <p>13 Q. The county?</p> <p>14 A. The state of -- anyone that's -- that's</p> <p>15 actually making early voting locations in the state.</p> <p>16 Q. And what are those deadlines?</p> <p>17 A. I don't have it in front of me what the</p> <p>18 deadline was.</p> <p>19 Q. So it would be a deadline for setting</p> <p>20 locations?</p> <p>21 A. There -- yes. There's a deadline you have</p> <p>22 to have the locations set in order to order the</p> <p>23 election.</p> <p>24 Q. Is the election ordered after the locations are</p> <p>25 set --</p>
<p style="text-align: right;">Page 107</p> <p>1 Q. And so from this representation, do you have</p> <p>2 any reason to disagree that the August 22, 2018</p> <p>3 Commissioners Court meeting was when the locations were</p> <p>4 first --</p> <p>5 A. Correct.</p> <p>6 MR. SEAQUIST: Object to the form.</p> <p>7 Q. (BY MR. CUSICK) And so it was on</p> <p>8 August 22nd, 2018, and so you, prior to this</p> <p>9 meeting, conducted outreach to the party chairs?</p> <p>10 A. Correct.</p> <p>11 Q. And you, yourself, obviously conducted your</p> <p>12 own --</p> <p>13 A. Correct.</p> <p>14 Q. -- analysis?</p> <p>15 A. Uh-huh.</p> <p>16 Q. When do students generally come onto campus at</p> <p>17 the beginning of a school year?</p> <p>18 A. At the end of August.</p> <p>19 Q. And so in developing this plan, would you even</p> <p>20 have the ability or would the chairs even have access to</p> <p>21 students before that August date for input?</p> <p>22 A. I don't know if they have access to them or</p> <p>23 not, but there are certain deadlines by law that you</p> <p>24 have to -- to do your notice, order your elections.</p> <p>25 Q. Do you think it would be beneficial for it to</p>	<p style="text-align: right;">Page 109</p> <p>1 A. Yes.</p> <p>2 Q. -- or before?</p> <p>3 A. It has to be after.</p> <p>4 Q. So for --</p> <p>5 A. Because in the order of election, it states</p> <p>6 the locations.</p> <p>7 Q. And for ordering a county-wide election, that</p> <p>8 comes through the Commissioners Court?</p> <p>9 A. Correct.</p> <p>10 Q. And then if you could continue on that page in</p> <p>11 the last full paragraph where it begins, "Ms. Christy</p> <p>12 Eason" --</p> <p>13 A. Uh-huh.</p> <p>14 Q. -- and then to the end of the -- to the end of</p> <p>15 that paragraph, which carries over to 15, if you'd just</p> <p>16 mind reading that into the record.</p> <p>17 A. "Ms. Christy Eason, Waller County elections</p> <p>18 administrator, was not in attendance. However,</p> <p>19 County Judge Duhon read an E-mail from Ms. Eason</p> <p>20 stating that early voting -- early voting dates and</p> <p>21 times in each voting polling location will be set</p> <p>22 at -- after our training on the equipment. Judge</p> <p>23 Duhon then recounted a subsequent telephone</p> <p>24 conversation he claimed to have had in which he asked</p> <p>25 Ms. Eason if the party chairmen, if everybody was on</p>

<p style="text-align: right;">Page 110</p> <p>1 the same page, in agreement with the schedule. She</p> <p>2 said they were. Prior to the vote, Commissioner</p> <p>3 Beckendorff confirmed that right now, we're just</p> <p>4 voting on the location and the times, I guess, will</p> <p>5 be discussed at a later date."</p> <p>6 Q. And do you recall that telephone</p> <p>7 conversation --</p> <p>8 A. Yes.</p> <p>9 Q. -- with Judge Duhon?</p> <p>10 A. Yes.</p> <p>11 Q. Is that an accurate --</p> <p>12 A. Yes.</p> <p>13 Q. -- characterization of the content?</p> <p>14 A. Yes.</p> <p>15 Q. And then in that paragraph, too, Judge Duhon</p> <p>16 read into the record an E-mail from you; is that</p> <p>17 correct?</p> <p>18 MR. SEAQUIST: Form.</p> <p>19 A. I don't know. Did it say that?</p> <p>20 Q. (BY MR. CUSICK) Yeah, it's --</p> <p>21 A. Yes.</p> <p>22 Q. -- the last line.</p> <p>23 A. Yes.</p> <p>24 Q. And do you recall sending that E-mail --</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 112</p> <p>1 on the day that it was presented.</p> <p>2 Q. Do you have any concerns that presenting the</p> <p>3 schedule for the first time publicly doesn't give</p> <p>4 community members a chance to fully assess the impact of</p> <p>5 the locations on their voting right?</p> <p>6 MR. SEAQUIST: Form.</p> <p>7 A. The actual location -- I mean, the actual</p> <p>8 item that was on the agenda had been placed on the</p> <p>9 agenda and it had been public record. The agenda had</p> <p>10 been posted, so they were aware that it would be</p> <p>11 discussed in Commissioners Court.</p> <p>12 Q. (BY MR. CUSICK) And how many days -- I'm</p> <p>13 sure this is regulated by state law. How many days</p> <p>14 in advance is an agenda posted?</p> <p>15 A. I don't know on a Commissioners Court</p> <p>16 agenda. I know it's always posted on a Friday. We</p> <p>17 have Commissioners Court on Wednesday, so --</p> <p>18 Q. And so during the Commissioners Court meeting</p> <p>19 when you're discussing either location or hours for</p> <p>20 early voting, do you go over the criteria and all the</p> <p>21 background information that went into the process so</p> <p>22 people who are attending it have a full understanding of</p> <p>23 what factors were taken into consideration?</p> <p>24 A. No, not in Commissioners Court.</p> <p>25 Q. So how would -- what would be the process,</p>
<p style="text-align: right;">Page 111</p> <p>1 Q. -- to Judge Duhon?</p> <p>2 A. I always send an E-mail with -- I always</p> <p>3 send an E-mail along with a court -- an item to be</p> <p>4 placed on Commissioners Court.</p> <p>5 Q. And when you mention -- or when it's mentioned</p> <p>6 that Judge Duhon mentioning that party chairs need to be</p> <p>7 on the same page or in agreement with the schedule --</p> <p>8 A. Uh-huh.</p> <p>9 Q. -- does that mean they're --</p> <p>10 A. They have agreed, correct.</p> <p>11 Q. And at that time, was there a -- at that time</p> <p>12 in the process, had you started discussions about early</p> <p>13 voting hours?</p> <p>14 A. Yes, and they would be followed up on the</p> <p>15 order of election, which came next to the</p> <p>16 Commissioners Court.</p> <p>17 Q. And so if a Waller County resident was a -- not</p> <p>18 affiliated with either party but they wanted to get some</p> <p>19 input either into the location or the hours, is there</p> <p>20 any mechanism for them to do that?</p> <p>21 MR. SEAQUIST: Form.</p> <p>22 A. No.</p> <p>23 Q. (BY MR. CUSICK) Either for location or</p> <p>24 hours?</p> <p>25 A. No, other than attending Commissioners Court</p>	<p style="text-align: right;">Page 113</p> <p>1 then, for somebody in attendance to ask questions about</p> <p>2 that process? Do they direct them to you?</p> <p>3 A. They would direct them to the Commissioners</p> <p>4 Court.</p> <p>5 Q. And then the Commissioners Court would ask you</p> <p>6 to address it?</p> <p>7 A. Yes.</p> <p>8 Q. And is the process you outlined before about</p> <p>9 your involvement in the beginning and the party chair,</p> <p>10 is that publicly known to folks that that's the</p> <p>11 process --</p> <p>12 MR. SEAQUIST: Form.</p> <p>13 Q. (BY MR. CUSICK) -- for --</p> <p>14 A. Is it publicly known such as how?</p> <p>15 Q. So let's say, for example, that students for</p> <p>16 the first time are coming onto campus in August.</p> <p>17 They're interested in voting, they show up to a</p> <p>18 Commissioners Court meeting. Would those students know</p> <p>19 even the background about this to even inquire about how</p> <p>20 the procedure is followed?</p> <p>21 MR. SEAQUIST: Object to the form.</p> <p>22 A. No, I'm sure not, not unless they ask that</p> <p>23 day in Commissioners Court.</p> <p>24 Q. (BY MR. CUSICK) Do you think there's any</p> <p>25 benefit to providing notice to incoming students who</p>

<p style="text-align: right;">Page 114</p> <p>1 either -- strike that.</p> <p>2 Do you think there's a benefit to</p> <p>3 provide this background information to people</p> <p>4 attending that hearing so they understand even the</p> <p>5 types of questions they might want to ask?</p> <p>6 MR. SEAQUIST: Object to form.</p> <p>7 A. It could be.</p> <p>8 Q. (BY MR. CUSICK) Could it be beneficial?</p> <p>9 A. It could be.</p> <p>10 Q. Have you ever considered sharing that prior to</p> <p>11 disclosing the first -- for the first time an early</p> <p>12 voting schedule?</p> <p>13 MR. SEAQUIST: Form.</p> <p>14 A. I have not. No, I have not.</p> <p>15 Q. (BY MR. CUSICK) Have students expressed</p> <p>16 concerns about the lack of transparency with the</p> <p>17 process for setting the early vote schedule?</p> <p>18 A. Never to me.</p> <p>19 Q. What about in a public setting that you were in</p> <p>20 attendance at?</p> <p>21 A. The one Commissioners Court meeting.</p> <p>22 Q. So just that October 17, 2018 meeting?</p> <p>23 A. Yes.</p> <p>24 Q. When it's presented to the Commissioners Court,</p> <p>25 for example, on August 22nd, 2018, it's presented and</p>	<p style="text-align: right;">Page 116</p> <p>1 MR. CUSICK: I'm marking as Exhibit 4</p> <p>2 the 2018 general election, November 6, 2018, early</p> <p>3 voting and election day polling places schedule as</p> <p>4 Bates stamped Defendant 000131. Handing a copy to</p> <p>5 Ms. Eason, for counsel.</p> <p>6 Q. (BY MR. CUSICK) Do you recognize Exhibit 4,</p> <p>7 Ms. Eason?</p> <p>8 A. I do.</p> <p>9 Q. Does this reflect the early voting locations</p> <p>10 accurately for the November 2018 elections that were</p> <p>11 approved at the Commissioners Court?</p> <p>12 A. Yes.</p> <p>13 Q. And earlier you read in Dr. Flores' report a</p> <p>14 mention about Dr. Denise Mattox asking for input into</p> <p>15 the hours for early voting locations. Did she have any</p> <p>16 input?</p> <p>17 A. Into the hours, no.</p> <p>18 Q. And why not?</p> <p>19 MR. SEAQUIST: Form.</p> <p>20 A. I don't know why not. She never came to ask</p> <p>21 me.</p> <p>22 Q. (BY MR. CUSICK) And now we'll talk a little</p> <p>23 bit more about the -- talk a little bit more about</p> <p>24 the hours and days for early voting in the 2018</p> <p>25 general election.</p>
<p style="text-align: right;">Page 115</p> <p>1 voted on that same day or is the vote -- or is it voted</p> <p>2 and presented that same day?</p> <p>3 A. Yes.</p> <p>4 Q. And so people who are attending only have the</p> <p>5 duration of the meeting to provide input before it's</p> <p>6 voted on?</p> <p>7 A. They can provide input that day, but they</p> <p>8 would have known about it from the agenda being</p> <p>9 posted days prior.</p> <p>10 Q. And is there any mechanism for people who can't</p> <p>11 attend the hearing to provide input?</p> <p>12 A. I don't know.</p> <p>13 Q. Do you have any concerns that people who might</p> <p>14 not be able to attend but want to comment or provide</p> <p>15 input, that there should be a mechanism?</p> <p>16 A. I don't know how -- how that works with</p> <p>17 Commissioners Court.</p> <p>18 Q. And so on the agenda that's posted before a</p> <p>19 Commissioners Court meeting, does that include the early</p> <p>20 vote schedule as an attachment?</p> <p>21 A. Yes.</p> <p>22 Q. And that's posted -- is that -- for the 2018,</p> <p>23 that was posted on the Commissioners Court website?</p> <p>24 A. On the website with their backup documents.</p> <p>25 (Exhibit No. 4 marked.)</p>	<p style="text-align: right;">Page 117</p> <p>1 Under the same process, are you -- you</p> <p>2 made the initial determination for the initial</p> <p>3 proposal before sending it to the chairs?</p> <p>4 A. Yes.</p> <p>5 Q. And when does this process generally take</p> <p>6 place, is it after the locations are set?</p> <p>7 A. Repeat that?</p> <p>8 Q. My apologies.</p> <p>9 When you begin your initial plan for</p> <p>10 hours at early voting locations, is that after the</p> <p>11 locations have been approved or is that -- is it an</p> <p>12 ongoing process?</p> <p>13 A. It's just an ongoing -- an ongoing process.</p> <p>14 Q. And do you remember when this process began for</p> <p>15 the 2018 general election?</p> <p>16 A. It began during the time -- if this was</p> <p>17 submitted on August the 22nd, I think you said --</p> <p>18 Q. Yes.</p> <p>19 A. -- then this would -- during -- during the</p> <p>20 times that the times were being considered during</p> <p>21 that period.</p> <p>22 Q. And are you the first person that drafts the</p> <p>23 actual plan or -- to send to the county chairs?</p> <p>24 A. Yes.</p> <p>25 Q. And for the 2018 general election, was there</p>

<p style="text-align: right;">Page 118</p> <p>1 anyone else in your office before it was sent to the 2 county chairs that participated in the development? 3 A. We all do in our office. We all sit down in 4 a team meeting and discuss the turnout prior and so 5 forth. 6 Q. And I believe we have this for the record, but 7 the Republican Party county chair in 2018 I believe 8 still is David Luther? 9 A. Yes. 10 Q. And the same for the Democratic Party chair in 11 2018, it currently is Ms. Rosa Harris? 12 A. Yes. 13 (Exhibit No. 5 marked.) 14 MR. CUSICK: I'm going to introduce as 15 Eason Exhibit 5, handing a copy to Ms. Eason. This 16 document is entitled the "Verity Equipment Assignment 17 for the 2018 General Election." 18 Handing a copy to her counsel. 19 Q. (BY MR. CUSICK) Are you familiar with 20 Exhibit 5, Ms. Eason? 21 A. Yes. 22 Q. Did this document originate from your office? 23 A. Yes. 24 Q. And can you explain the purpose for this 25 document, why -- why you generated this document?</p>	<p style="text-align: right;">Page 120</p> <p>1 the rest of your machines. 2 Your access are your handicap 3 accessible units, and your touch are your normal 4 election day units. However, both of them can be -- 5 your access can be used as a touch, as well, so those 6 means those are the actual units that you vote on, 7 the ones that you actually touch the screen to vote 8 on. 9 The controllers are the ones that 10 actually just control the units, so, for example, you 11 have to have one controller per five touch machines. 12 If you wanted to use more machines, you'd have to use 13 another controller with five touch machines. 14 Q. And then "Access"? 15 A. And then we had -- your access are your 16 handicap accessible. There are also regular touch 17 machines. You can still vote on them, a regular 18 voter can still vote on them; however, they are 19 handicap accessible, too, so they have your 20 earphones, they have your touch and -- I mean your 21 sip and -- you know, your puff and sip or whatever 22 you call that little straw, has that on there, so 23 they are handicap accessible, as well, so they do two 24 things. 25 Q. And then the touch are the machines, as well?</p>
<p style="text-align: right;">Page 119</p> <p>1 A. Yes. This is my equipment assignments. 2 MR. CUSICK: Off the record. 3 (Recess taken.) 4 Q. (BY MR. CUSICK) So just before we went off 5 the record, I had introduced Eason Exhibit 5, which 6 is the Verity Equipment Assignment 2018 General 7 Election document, and I believe you mentioned you 8 recognized the document, Ms. Eason? 9 A. Yes, uh-huh. 10 Q. And you also mentioned this originated from 11 your office? 12 A. Yes. 13 Q. Can you briefly explain what the purpose of 14 this document is? 15 A. Yes. This is actually equipment assignment 16 that we initially assign machines to locations. 17 Q. And for my ease of reference, on the top of 18 that, there's that box in white. Can you explain what 19 each of those terms mean for "Controls," "Access," 20 "Touch," and then "Access Used for Backup"? 21 A. Right. 22 31 controllers. Your controller is 23 your actual -- your box that you run the -- the 24 machines off of. Your controller is where you pull 25 the voter up. It's the main control box that runs</p>	<p style="text-align: right;">Page 121</p> <p>1 A. Uh-huh. 2 Q. And then the same for -- 3 A. So the access and your touch, actually you 4 could add those two together because that's how much 5 units you have that you could actually vote on, 6 correct. 7 Q. And the same for the last category, "Access 8 Used for Backup"? 9 A. Yes, at that time, uh-huh. 10 Q. And then in the third box that's in blue, do 11 you mind reading into the record the equipment 12 assignments in the first column beginning with, "After 13 early voting," so -- beginning with, "The courthouse," 14 just the names. 15 A. In early voting, I'm sorry. You want it in 16 early voting? 17 Q. Yeah, under "Equipment Assignment" and then 18 below. 19 A. Correct. 20 On courthouse, there was one 21 controller, three access and six touch. 22 Q. You could -- sorry, my -- I don't want to 23 interrupt. You can just read the equipment assignments, 24 just the -- just the names of the spots, so courthouse, 25 WISD admin.</p>



<p style="text-align: right;">Page 122</p> <p>1 A. Oh, yeah.</p> <p>2 Courthouse, WISD admin building, the</p> <p>3 Brookshire Library, Katy VFW, JP3 and 2, which is</p> <p>4 Fields Store and Monaville, PVAMU student center, the</p> <p>5 community center and then City Hall in Prairie View.</p> <p>6 Q. And these are all the early voting locations --</p> <p>7 A. Correct.</p> <p>8 Q. -- for 2018 general?</p> <p>9 A. Correct.</p> <p>10 Q. And then the other three columns entitled</p> <p>11 "Control" or "Access" and "Touch" --</p> <p>12 A. Correct.</p> <p>13 Q. -- those are the types of machines that are</p> <p>14 there?</p> <p>15 A. Correct.</p> <p>16 Q. And so as you mentioned before, the reason that</p> <p>17 the Prairie View A&amp;M student center has two controllers</p> <p>18 is because there are ten machines?</p> <p>19 A. Correct.</p> <p>20 Q. So they needed five for each?</p> <p>21 A. So actually, they could -- there was two</p> <p>22 polls open. They could vote in either line, so there</p> <p>23 actually was -- we could have two lines running at</p> <p>24 the same time.</p> <p>25 Q. And for the touch screen assignments, in the</p>	<p style="text-align: right;">Page 124</p> <p>1 A. Correct.</p> <p>2 Q. And why would that be?</p> <p>3 A. Why were they?</p> <p>4 Q. Yeah.</p> <p>5 Why would the -- why would Prairie</p> <p>6 View A&amp;M have more machines assigned than other</p> <p>7 locations?</p> <p>8 A. Well, first of all, because I did that to</p> <p>9 avoid lines at -- the location is in the student</p> <p>10 center, which is in the hub of their -- the very</p> <p>11 middle of their eating, their lunchroom, their</p> <p>12 cafeteria. Sometimes it gets really heavy right</p> <p>13 there so there were more there so the lines wouldn't</p> <p>14 be as long, and then there was also so they could</p> <p>15 have two lines going, as well, so they could have two</p> <p>16 different -- two different polling locations so it</p> <p>17 would move a lot smoother.</p> <p>18 Q. And the long lines would be a result of people</p> <p>19 trying to vote?</p> <p>20 A. Well, yeah, the long lines would be for</p> <p>21 that, and we anticipated -- at that time, that's when</p> <p>22 the campaigns were out at the campus, as well, so we</p> <p>23 knew that there would be heavy early voting there,</p> <p>24 you know, at that time, so that's why those were put</p> <p>25 that way, to help accommodate their lines.</p>
<p style="text-align: right;">Page 123</p> <p>1 last column, the Prairie View A&amp;M student center had the</p> <p>2 most touch screen equipment?</p> <p>3 A. Correct. Correct.</p> <p>4 Q. And along with the county courthouse, in</p> <p>5 access --</p> <p>6 A. Correct.</p> <p>7 Q. -- it also had the highest?</p> <p>8 A. Correct.</p> <p>9 Access, usually you give one access,</p> <p>10 usually, to each precinct, but we have more access --</p> <p>11 and like I said, they can be used as touch, as well,</p> <p>12 so, for example, Prairie View A&amp;M student center,</p> <p>13 they had seven touch. It says three access, so,</p> <p>14 really, we have one designated for -- we have one</p> <p>15 designated for, actually, handicapped or accessible,</p> <p>16 and then the other two we used as touch because we</p> <p>17 had more access than we had -- so we could use them</p> <p>18 for that.</p> <p>19 Q. Gotcha.</p> <p>20 And so if I'm reading this chart</p> <p>21 correctly, and just looking at access and touch, more</p> <p>22 machines for early voting were assigned to the</p> <p>23 Prairie View A&amp;M campus than any other location?</p> <p>24 A. Correct.</p> <p>25 Q. Including the courthouse?</p>	<p style="text-align: right;">Page 125</p> <p>1 Q. And you mentioned that there are campaigns</p> <p>2 during those -- those hours and days. Were there any --</p> <p>3 were there similar types of campaigns during the</p> <p>4 courthouse hours and days?</p> <p>5 A. Not like there were out there. The actual</p> <p>6 candidates were out at the campus.</p> <p>7 Q. Now, turning to the orange table, this is the</p> <p>8 assignment for election day?</p> <p>9 A. Correct.</p> <p>10 Q. And under the second column for 309, 309</p> <p>11 precinct has the highest amount of registered voters; is</p> <p>12 that accurate?</p> <p>13 A. Well, you got to -- I don't know if you're</p> <p>14 familiar with the registered voters and suspense?</p> <p>15 Q. You mentioned that before, that people could --</p> <p>16 A. Actually, what registered voters is is how</p> <p>17 many people are actually registered to vote in that</p> <p>18 precinct. There's 4,834 registered voters there, but</p> <p>19 that includes their suspense voters, so that means --</p> <p>20 and they have, like, 1,200 suspense voters, so that</p> <p>21 means those 1,200 are actually -- they're sitting in</p> <p>22 limbo. They're -- they're -- if they don't fix that,</p> <p>23 that means that they will be canceled the next time</p> <p>24 we do a purge.</p> <p>25 So actually, if you took that amount</p>



<p style="text-align: right;">Page 126</p> <p>1 off, there's only going to be 3,000 and whatever  2 that's going to be that would be active voters, and  3 all of the precincts are like that right now.  4 Those -- those numbers right there, they actually --  5 all of them have their suspense voters in those, as  6 well, and the reason you do that on machine  7 allocation is because actually, 4,800 people could  8 show up there. Even if they're on suspense, as long  9 as they change their address, they could vote, so  10 there's the potential of that actually being -- it's  11 just a number you use to go off of when you -- when  12 you allocate machines so you know that you'll have  13 enough.  14 Q. And in Precinct 207, there are also likely  15 suspended voters in that, as well?  16 A. Yes, but you got to realize, too, though, in  17 206 and 07, there's only, like, 200 suspense voters.  18 There's not near -- I mean, there's not near what  19 there is out in the Prairie View box.  20 Q. Do you know why that -- that would be that 309  21 has so many suspense --  22 A. Well, it's because of the students leaving  23 and -- well, a lot of them are from the addressing  24 issues, the 700 University.  25 Q. A majority of the 1,200?</p>	<p style="text-align: right;">Page 128</p> <p>1 canceled, people have been added back on. It's a  2 working number all the time, so this is, what, ten  3 months ago or 11 months ago that that was the numbers  4 at that time.  5 Q. But in 2018 --  6 A. Yes.  7 Q. -- this would be the highest?  8 A. Uh-huh.  9 Q. And then generally, also depending on when you  10 run the numbers, do you see a big -- do many -- strike  11 that.  12 For Precinct 309, do you see a higher  13 number of new voters registering at the beginning of  14 the school year when you're conducting outreach and  15 registering voters?  16 A. A lot of times you do, but a lot of times  17 you do a lot -- you do see -- you do see new  18 registration, but at the same time, you see a lot  19 of -- they'll fill them out and they're already  20 registered, so basically it just serves as a change  21 form.  22 Like, if someone might -- for example,  23 I was there day before yesterday. We were  24 registering voters. Someone registered -- they  25 filled out a new registration but really, they had</p>
<p style="text-align: right;">Page 127</p> <p>1 A. Yeah, a lot of them are from --  2 MR. SEAQUIST: Object to the form.  3 Go ahead.  4 A. A lot of them are from that, and then the  5 others are those that have moved away already and  6 their cards have been returned because they don't  7 live there any longer and so they're on the suspense  8 list, so that means come at the end of the year when  9 we do a purge, they'll actually be canceled.  10 Q. (BY MR. CUSICK) And do you have an idea how  11 many of that -- I think you mentioned 1,200, roughly?  12 A. Yes, there's right at 1,200.  13 Q. Do you remember how many of them -- how many of  14 that is due to the addressing issue?  15 A. Probably about 300 of those, still. Now,  16 there was a larger amount, but we -- we corrected a  17 lot of them.  18 Q. So even if you take into account the 1,200,  19 let's assume that we include that all, 309 would still  20 be one -- either one -- first or second for the highest  21 number of registered voters?  22 A. It's actually third, from now, when you do  23 the numbers right. I did a list the other day.  24 You've got to remember, this is in 2018 numbers, so  25 since then, these have been people have been</p>	<p style="text-align: right;">Page 129</p> <p>1 been there last year, so when I went in to process  2 it, it basically just acts as a change of address  3 form, not a new registration -- new registrant.  4 Q. That's helpful.  5 And so this would have been the --  6 this sheet would have been the most up-to-date as  7 of --  8 A. As of that time when I -- as of that time  9 when I allocated my equipment.  10 Q. And do you remember roughly, is that allocation  11 September, October?  12 A. I don't remember when I did it.  13 Q. And I'm going to turn to the -- I'm going to  14 turn to the columns "Access" and "Touch."  15 Is it accurate again on these columns  16 that 309 had the most machines on election day?  17 A. Correct.  18 Q. And can you explain why it would have that --  19 the most numbers?  20 A. The reason we had the high amount on that  21 election day is because there was a -- actually, I  22 added those in towards the end on 309, at the end of  23 early voting. I wasn't intending on giving them that  24 many, but they had a march, if you remember. I don't  25 remember if you remember, but they had a march out on</p>

<p style="text-align: right;">Page 130</p> <p>1 campus and they were all coming back to the polling 2 place to vote so I expected a large turnout and I 3 added machines at the end to be able to accommodate 4 that, which they ended up not having but we did have 5 the machines available. 6 Q. And would these machines have been pulled from 7 reserves or would these have been set aside? 8 A. No, I had those in reserve. 9 Q. And before the start of early voting in 2018 10 for this general election, do you remember how many 11 machines you had in reserve, roughly? 12 A. I don't. I usually kept about ten back. I 13 did use some. I added to the courthouse in early 14 voting, and then that left me, I thought, three, but 15 it shows up here now I had two left, so I would say 16 ten, probably, is what I had -- 17 Q. Before? 18 A. -- before. 19 Q. And then do you remember how many machines you 20 added to 309 from those reserves? 21 A. I know I added another controller because I 22 only had one. I was only going to use one line, so 23 looks like I probably added four. 24 Q. And then you mentioned you had two at the end 25 after everything was accounted for?</p>	<p style="text-align: right;">Page 132</p> <p>1 to counsel. 2 Q. (BY MR. CUSICK) Do you recognize this exhibit, 3 Ms. Eason? 4 A. I do. 5 Q. For the record, could you turn to Page 5 and 6 then just read into the record, beginning with the 7 second full sentence starting with, "Subject," and then 8 reading -- reading those seven factors, criteria? 9 A. "Subject to the foregoing assertion of 10 privilege and preserving the same, the following 11 factors are considered in the proposal of early 12 voting locations and hours: 13 "The population of registered voters 14 in the polling precinct, including the numbers of the 15 voters registered whose registration is in suspense. 16 "Historical turnout in the precinct. 17 "No. 3, how heavily contested the 18 election is as demonstrated by how many opposed races 19 are on the ballot. 20 "4, number and availability of pole 21 workers. 22 "5, time required to train poll 23 workers. 24 "6. Number of controller and voting 25 units, their distribution across polling locations</p>
<p style="text-align: right;">Page 131</p> <p>1 A. Yeah, I had two used for backup. 2 Q. And then the other four machines that would 3 have been sent out, those were all to the -- do you 4 remember what precinct those went to? 5 A. Those four, they went to 309 on election 6 day. 7 Q. Gotcha. 8 And did those machines remain on 9 Precinct 309 for the ones that were assigned at the 10 Memorial Student Center during early voting, those 11 remained at the same location for election day, they 12 weren't moved? 13 A. No, you can't use the same ones. 14 Q. Oh, you mentioned that. 15 A. You have to tear down and reset, so after 16 early voting is complete, all of the machines that 17 are used in early voting come back. They're sealed. 18 They come back to the office. 19 (Exhibit No. 6 marked.) 20 MR. CUSICK: Entering into the 21 Exhibit -- entering into the record exhibit entitled 22 "Defendant Christy Eason's First Supplemental 23 Response and Objections to Plaintiffs' First Set of 24 Interrogatories" as Exhibit 6. 25 I'm handing a copy to Ms. Eason, one</p>	<p style="text-align: right;">Page 133</p> <p>1 and their distribution between early voting and 2 election day voting. 3 "And 7, accessibility, ease of use, 4 parking and security for various locations. There is 5 a preference for county-owned and controlled 6 locations because the County is able to control 7 access and security to the building. Locations that 8 are not county-owned frequently present issues 9 because the County has to rely on a third party to 10 let election workers into the polling location and to 11 lock up after voting." 12 Q. Give you a minute after reading that. 13 So for these seven factors, who 14 originally created these seven factors? 15 A. These aren't -- factors aren't -- these 16 aren't drawn on a board. This what is we use every 17 single time. Basically, this is a -- kind of like I 18 told you before, some of the things that we consider 19 when we choose early voting locations. Some of these 20 are the same that -- most of these are the same that 21 we talked about earlier. 22 Q. And so is this -- are these seven policies 23 written anywhere in -- in your offices? 24 A. No, no. 25 Q. And so when you have your discussions</p>

<p style="text-align: right;">Page 134</p> <p>1 internally with your staff, are they all aware of these 2 seven factors?</p> <p>3 A. Yes. This is something that we consider 4 every time.</p> <p>5 Q. And were they considered for any early voting 6 locations or hours 2017?</p> <p>7 A. Yes. They're considered in every election 8 that we do early voting locations.</p> <p>9 Q. And were these factors the -- did the former 10 election administrator, Mr. Teed, use these same seven 11 factors?</p> <p>12 A. I don't know.</p> <p>13 Q. So would it be fair to say that this list was 14 compiled since you've been in office?</p> <p>15 MR. SEAQUIST: Form.</p> <p>16 A. It's not really a compiled list. It's just 17 things that I consider.</p> <p>18 Q. (BY MR. CUSICK) Are any of these required 19 by state law?</p> <p>20 A. No.</p> <p>21 Q. And these aren't reflected in any county 22 guidance documents?</p> <p>23 A. No.</p> <p>24 I do go back. Some of these are -- I 25 mean, accessibility, of course, that's going to be --</p>	<p style="text-align: right;">Page 136</p> <p>1 expected turnout, the amount of registered voters 2 that you mentioned before about expecting a lot of 3 turnout in Precinct 309, why wouldn't that counsel to 4 add more hours at the Memorial Student Center than 5 were allocated under the initial plan in the 2018 6 general election?</p> <p>7 MR. SEAQUIST: Object to the form.</p> <p>8 A. First of all, you have to remember that we 9 split the two Prairie View boxes, as well, so there 10 were given hours to that community. It was given at 11 the community center, at the City Hall and at the 12 campus, so we have three, actually, locations that 13 you can add together. They were given hours.</p> <p>14 They also were given double polling 15 locations in that one precinct, as well, to cover 16 that -- to cover that. You look back at the past and 17 they had not had that heavy turnout there that 18 they -- some of the other precincts and some of the 19 other areas that did have.</p> <p>20 Q. (BY MR. CUSICK) I note you mentioned that 21 these are some of the factors you consider. Is this 22 based on any best practices or guidance from other 23 counties?</p> <p>24 MR. SEAQUIST: Form.</p> <p>25 A. It's just the best practices that I can -- I</p>
<p style="text-align: right;">Page 135</p> <p>1 I mean, your normal -- your accessibility, things 2 that are required by election law, of course, you're 3 taking into consideration.</p> <p>4 Q. And then, of course, you know, earlier you 5 mentioned a high turnout and a large turnout in Precinct 6 309. Does expected turnout factor into early voting 7 hours?</p> <p>8 A. Does what? I'm sorry.</p> <p>9 Q. Does expected turnout?</p> <p>10 A. Expected turnout?</p> <p>11 Q. Yes.</p> <p>12 A. Yeah, I do consider some of that, yes, I do.</p> <p>13 Q. Are there any factors that you rely on more 14 than others or are they all given equal weight?</p> <p>15 A. Try to give them equal weight.</p> <p>16 Q. And so given some of the comments before about 17 the number of registered voters in Precinct 309, the 18 march and other issues that you were -- you had 19 mentioned, why wouldn't more early voting hours be 20 expected at the Memorial Student Center based on that 21 factor?</p> <p>22 MR. SEAQUIST: Object to the form.</p> <p>23 A. Why wouldn't early voting hours -- can you 24 repeat that?</p> <p>25 Q. (BY MR. CUSICK) Based on the -- the</p>	<p style="text-align: right;">Page 137</p> <p>1 have in Christy's office.</p> <p>2 Q. (BY MR. CUSICK) Do you ever consult other 3 election administrators in other counties with 4 similar large student populations?</p> <p>5 A. Yes. We have a list serve and we -- matter 6 of fact, I contacted several counties about the kind 7 of early voting that they open up in college towns.</p> <p>8 Q. And do you know if any of those towns had 9 similar issues with black students trying to vote?</p> <p>10 A. With black students?</p> <p>11 MR. SEAQUIST: Object to the form.</p> <p>12 Go ahead.</p> <p>13 A. Black students, no. We've never discussed 14 the race issue of it.</p> <p>15 Q. (BY MR. CUSICK) And in addition, I know 16 that accessibility under Factor 7 likely falls under 17 some state regulation?</p> <p>18 A. It does.</p> <p>19 Q. Are there any other, outside of this list, 20 requirements that you rely on that are required by state 21 law when you're considering?</p> <p>22 A. Well, there are certain -- you have to look 23 at the building. Like I said, it has to be handicap 24 accessible. There has to be ease and use of parking. 25 Parking has to be able to -- not only because it's an</p>

<p style="text-align: right;">Page 138</p> <p>1 early voting. Anyone can vote at that location, so  2 the actual location has to be accessible to any and  3 all citizens that can come there to vote.  4 Another thing is accessibility to the  5 building. Early voting, in order to keep it open the  6 entire amount of early voting would be keeping a  7 building open for two and a half weeks, so wherever  8 you have that location, you have to have that  9 building completely secured for two and a half weeks,  10 and that means that after it closes, the polls close  11 during the day, nothing can go on in there during the  12 night because the machines are there and have to be  13 secured.  14 You also have to think about ease into  15 the building and out of the building, do you have to  16 have someone meet you there every morning to let you  17 in, are you going to have access to keys. There's a  18 lot of things to be considered as far as public  19 buildings when you -- as far as not county-owned  20 buildings, is that I'm saying. That is why we like  21 to use a lot of county-owned buildings is because we  22 do have access to those.  23 Q. And then if we go -- I know we briefly  24 discussed this in Factor 1, and based on the list as  25 Exhibit 5, Precinct 309 had the highest number of</p>	<p style="text-align: right;">Page 140</p> <p>1 want to vote, but for nothing of their own fault, are on  2 a suspension list, would then be factored against them  3 for how many hours they get on campus?  4 A. I believe that -- I believe that you take in  5 consideration the 1,200 voters. Even if you took 200  6 off of that that were on the suspense list due to the  7 addressing issue, you still have 1,000 voters that  8 are on the suspense list. If those cards -- or those  9 active registrations are in limbo, then they probably  10 will not be there to vote so, therefore, once you  11 make that -- take that off, they are the same amount  12 of registered voters compared to every other actual  13 precinct in our county. It doesn't make them that  14 much higher.  15 Q. Putting aside -- and we can turn to Exhibit 5  16 for a moment.  17 If you don't -- let's assume that you  18 even don't take out any of the suspended voters in  19 207 and you take out the full 1,200 in Precinct 309.  20 Is it accurate to say that Precinct 309 still has  21 1,000 more registered voters than any of the other  22 precincts?  23 MR. SEAQUIST: Form.  24 A. No.  25 Q. (BY MR. CUSICK) It's not accurate to say</p>
<p style="text-align: right;">Page 139</p> <p>1 registered voters at the time you were designating  2 precincts, and so in the polling precinct, polling place  3 for that precinct was the Memorial Student Center,  4 correct?  5 A. Uh-huh.  6 MR. SEAQUIST: Object to form.  7 Q. (BY MR. CUSICK) And why wouldn't it --  8 based on Factor 1, more hours be allocated to the  9 Memorial Student Center?  10 A. The student center population -- I mean,  11 registration is like I said before. 4,834 was the  12 total number but based on 1,200 suspense voters, you  13 have to take in effect that made them very much equal  14 to a lot of the other polling locations. Once you  15 take that down -- and I don't have it with me, but  16 the suspense list county-wide, they have more in one  17 precinct than the rest of the county has all put  18 together so, therefore, you take -- you take in  19 consideration those 1,200 registered voters that are  20 on the suspense list.  21 Q. But some of those students on the suspense list  22 were on the list for no -- for nothing that they did, it  23 was because of the addressing issue?  24 A. Correct.  25 Q. So wouldn't you be concerned that people who</p>	<p style="text-align: right;">Page 141</p> <p>1 that?  2 A. No. If you take 48, that would leave you 37  3 to 34. We're talking several hundred difference  4 between 207 and 309.  5 Q. Putting aside 207.  6 A. Oh, putting aside 207?  7 Q. Yes. Let's assume that. Let's assume that  8 there's, as you mentioned, 1,200, so that puts you at,  9 like, 36 for Precinct 309?  10 A. And then we also look down at 418. I'm  11 sorry.  12 Q. And so would it still be accurate, though, to  13 say that even if you compared 418 and 309, that the  14 3,600 is 1,000 more than the 25?  15 A. It could be, yes.  16 Q. And, again, this is not taking into  17 consideration people on the suspense list --  18 A. Yes.  19 Q. -- for any of the other precincts?  20 A. Yes.  21 Q. And then, again, aside from 207, just for the  22 court reporter, Precinct 309 has, with the suspended  23 people, 1,200. Still has 1,000 more than any other  24 precinct?  25 MR. SEAQUIST: Form.</p>

<p style="text-align: right;">Page 142</p> <p>1 Q. (BY MR. CUSICK) Sorry. Has more than any 2 other of the precincts listed in this chart? 3 A. Yes, it does. 4 Q. Are any of these factors ever discounted or not 5 factored into a decision? 6 A. Not when I make them. 7 Q. And so Factors, let's say, 4 and 5, which the 4 8 relates to number and availability of poll workers and 9 time required to train poll workers, how would that go 10 into a consideration for allocation? 11 A. As far as allocation, it's not so much 12 about -- its not where to put it but when to put it. 13 There is only an availability of so many poll 14 workers. 15 Of course, Waller County has eight -- 16 nine after you added City Hall, nine early voting 17 locations open. To be able to man that many early 18 voting locations is a lot of poll workers, a lot of 19 trained poll workers that need to be trained. You 20 have to be able to train those to put those in those 21 locations. 22 A lot of these were -- if they were 23 added at the last minute, some of the workers 24 can't -- don't have enough time to be trained, so I 25 need to make sure that every allocation I make for an</p>	<p style="text-align: right;">Page 144</p> <p>1 let's say in 2017, the jail bond -- 2 A. Okay. 3 Q. -- do you take into consideration if specific 4 cities or residents in certain portions of the county 5 are more heavily engaged and expected to turn out for a 6 specific constitutional amendment? 7 A. I don't so much look at the constitutional 8 amendments as I do our local races. 9 In the bond election in 2017 -- and I 10 don't have the list with me -- if you'll look, I 11 contracted, as well, I believe, with four other 12 entities, so not only did we have the bond, we also 13 had four other hot-contested races that were on that 14 weren't county-wide. They only affected a certain 15 part of the county. 16 Q. What happens if two -- what happens if two of 17 these factors conflict with each other? 18 Let's say, for example, there's a high 19 number of registered voters but you don't expect 20 turnout in that precinct. 21 A. What would I do as far as? 22 Q. Well, how would they be -- I guess, how would 23 you resolve a conflict where one weighs for more early 24 voting hours whereas the other might -- might serve to 25 discount that criteria?</p>
<p style="text-align: right;">Page 143</p> <p>1 early voting location, that I have the personnel to 2 cover that. Of course, we wouldn't open 12 early 3 voting locations with the amount of election workers 4 that I have right now because I wouldn't have anyone 5 to man those. 6 Q. And so in Factor 3 indicates how heavily 7 contested the election is as demonstrated by how many 8 opposed races are on the ballot. How did that factor go 9 into your consideration when it's constitutional 10 amendments to the county as opposed to races? 11 A. Constitutional amendment elections are just 12 that. It's a -- basically it's a low turnout 13 election. A lot of times I do contract with other 14 entities and I do have other entity elections that 15 run my ballot, so I have to take into consideration 16 what part of the county, they might only have a 17 constitutional amendment election. However, you 18 might go to another precinct, they may have a city 19 council race on theirs, as well, so, of course, 20 they're going to have more turnout than it would on 21 one that was just a constitutional amendment 22 election, so that's why you have to take into 23 consideration who is on the ballot and what precincts 24 that they're on the ballot in. 25 Q. And so for a heavily contested county-wide,</p>	<p style="text-align: right;">Page 145</p> <p>1 A. Okay. Well, for example, if there is a -- 2 if they do conflict each other, I have high 3 registered voters in one precinct but there's no one 4 running there that's going to bring out a big 5 turnout, for example, but I have another precinct 6 that -- I'm confusing myself here -- they have a high 7 number of registered voters but I don't expect a 8 large turnout there. You're asking would I put a 9 location there or would I not put a location there? 10 Q. Mainly just what would you do when two 11 conflict, just using -- I was using 1 and 2 as an 12 example, but, you know, you can feel free to use another 13 set of criteria. 14 A. I guess I would have to see if that 15 constituted moving that early voting location to 16 another place that would be more used on election day 17 by registered voters than those that were in highly 18 contested areas. I would put that location in a spot 19 that it was better utilized for that specific 20 election. 21 Q. And so for Factor 2 of historical turnout in a 22 precinct, do you at all take into consideration how 23 alleged discrimination in previous elections might 24 underestimate the turnout in a precinct? 25 MR. SEAQUIST: Object to the form.</p>



<p style="text-align: right;">Page 146</p> <p>1 A. No, I don't, not really. I look at those --  2 for example, Precincts 206 and 207, they are high  3 turnout precincts. They will turn out high whether  4 it is a constitutional amendment only or if it is a  5 fully contested county-wide ballot. They are two  6 precincts that historically, every single election,  7 will turn out with a high, high percentage. Those  8 are boxes that I know are going to have that turnout.  9 So as far as historical, yes, in those  10 boxes especially I look at that. It would be foolish  11 of me not to look at that and maybe not put a box  12 there and then they would have lines and they would  13 have the problems at those polling locations that I  14 could have taken care of just by putting an early  15 voting box there. It would be foolish of me not to  16 look at how heavily they always vote, not just in one  17 election.  18 Q. (BY MR. CUSICK) And Precinct 206, that is  19 located in which city?  20 A. It's not. It's a rural area. It's in  21 Fields Store.  22 Q. Fields Store.  23 And 207?  24 A. Correct, is in Fields Store.  25 Q. And do you take into consideration turnout by</p>	<p style="text-align: right;">Page 148</p> <p>1 A. Yes.  2 Q. And were these the early voting hours that were  3 initially presented to the Commissioners Court --  4 A. Yes.  5 Q. -- for them to approve?  6 A. Uh-huh.  7 Q. Do you remember when they were presented?  8 A. No.  9 Q. Do you -- were you present at that  10 Commissioners Court meeting, whenever it was?  11 A. I don't remember if I was or not.  12 Q. Do you -- might be helpful.  13 Do you remember any discussion at a  14 Commissioners Court meeting about these being  15 proposed?  16 MR. SEAQUIST: Form.  17 A. No.  18 Q. (BY MR. CUSICK) And then --  19 A. Actually, I think these were actually  20 submitted in the order of election.  21 Q. In the what?  22 A. In the order of election, when they ordered  23 the election.  24 Q. At the same time?  25 A. Yes.</p>
<p style="text-align: right;">Page 147</p> <p>1 early voting versus election day, depending on the  2 precinct?  3 A. I do sometimes. As far as -- do you mean as  4 far as establishing an early voting location?  5 Q. Correct.  6 A. No.  7 Do I consider election day in that,  8 no.  9 Q. Then are you aware that for Precinct 309 in the  10 2018 general election, more than 80 percent of the  11 ballots cast at that precinct were during early voting?  12 A. Yes.  13 Q. And do you know if that was the highest  14 frequency of early voting use in the county?  15 A. I believe it was.  16 MR. SEAQUIST: Form.  17 (Exhibit No. 7 marked.)  18 MR. CUSICK: So I'm just going to turn  19 to Exhibit 7 which is titled "2018 General Election  20 Early Voting Locations." I believe this was the  21 final product that was produced, Defendants Bates  22 stamp 000158 as Exhibit 7.  23 Handing a copy to Ms. Eason, one to  24 her counsel.  25 Q. (BY MR. CUSICK) Do you recognize this exhibit?</p>	<p style="text-align: right;">Page 149</p> <p>1 Q. And then if you bear with me for a moment, turn  2 back to Exhibit 5. Sorry, no, that should be Exhibit 6,  3 the interrogatories, and then if you turn to Page 3 in  4 Response No. 1, in the last sentence of that -- of  5 that -- of where the response is, beginning with, "Both  6 party chairs," do you mind reading that into the record?  7 A. "After the filing of this lawsuit, the  8 Commissioners Court called a meeting on  9 October 24th, at which it voted to extend early  10 voting hours in Prairie View. To ensure an orderly  11 election and avoid the risk of undue interruption and  12 as a show of good faith to the plaintiffs and the  13 Prairie View community, or PVAMU community, the  14 Commissioners Court voted to extend the hours on  15 three previously scheduled days for early voting at  16 the Memorial Student Center from 7:00 to 7:00" --  17 Q. Sorry. Sorry. My apologies if I gave the  18 wrong one. It's the first paragraph where it says  19 "Response" on Page 3 and then just that last sentence,  20 "Meeting with both parties."  21 A. Up at the top?  22 Q. Where it says "Response."  23 A. Uh-huh.  24 Q. That last -- the second -- second full  25 paragraph, the last sentence.</p>



<p style="text-align: right;">Page 150</p> <p>1 A. "Both party chairs"?</p> <p>2 Q. Yes. Correct.</p> <p>3 A. "Both party chairs approved the revised</p> <p>4 proposal which was then adopted, approved by</p> <p>5 Commissioners Court on September 5th as part of a</p> <p>6 comprehensive order calling the general election."</p> <p>7 Q. And is that statement accurate for how the</p> <p>8 hours were adopted and approved?</p> <p>9 A. Yes, in the order of election. This is not</p> <p>10 the order of election.</p> <p>11 Q. And what do you mean by "the order of</p> <p>12 election"?</p> <p>13 A. There is an order of election.</p> <p>14 Q. And so what did the process look like for</p> <p>15 adopting and approving through the order of election?</p> <p>16 A. What did it look like?</p> <p>17 Q. Like, what happened for this submission?</p> <p>18 A. In the order -- it was in the order -- when</p> <p>19 they ordered the election, it was approved, and it</p> <p>20 was approved by Commissioners Court.</p> <p>21 Q. When they order the election, do they first</p> <p>22 discuss that as an agenda item or do they just --</p> <p>23 A. It is an agenda item.</p> <p>24 Q. Agenda item?</p> <p>25 A. Uh-huh.</p>	<p style="text-align: right;">Page 152</p> <p>1 Q. Do you think there's any benefit to conducting</p> <p>2 that outreach to ensure that --</p> <p>3 A. I don't post -- I don't --</p> <p>4 MR. SEAQUIST: Form.</p> <p>5 A. -- post the items on the Commissioners -- or</p> <p>6 on the agenda. That is done through the county</p> <p>7 judge's office.</p> <p>8 Q. (BY MR. CUSICK) And so the September 5th</p> <p>9 proposal, that would -- you mentioned that would</p> <p>10 include the order?</p> <p>11 A. If that's what this says. It was a part of</p> <p>12 the order. You will have to look on the -- I'm</p> <p>13 not -- I don't have it in front of me which day the</p> <p>14 order of election was actually approved.</p> <p>15 Q. And then if you could turn back to Exhibit 3,</p> <p>16 which is the Dr. Flores report. If you could turn to</p> <p>17 Page 17, and then if you go to the first full paragraph.</p> <p>18 Bear with me, might be easier to point out. This</p> <p>19 sentence beginning in the middle, "During the</p> <p>20 September."</p> <p>21 A. "During the September 5th meeting, Judge</p> <p>22 Duhon indeed made a motion, which was approved, to</p> <p>23 order the general election on November 6. However,</p> <p>24 there was no discussion or even identification of</p> <p>25 early voting hours or dates during that motion or</p>
<p style="text-align: right;">Page 151</p> <p>1 Q. So they would have discussed the order along</p> <p>2 with this -- along with the --</p> <p>3 A. It was in the --</p> <p>4 MR. SEAQUIST: Object to the form.</p> <p>5 A. It was within the order.</p> <p>6 Q. (BY MR. CUSICK) Within the order.</p> <p>7 And on -- assuming that the date here</p> <p>8 of September 5th, students would have only been a</p> <p>9 couple of weeks into the fall semester at that point?</p> <p>10 MR. SEAQUIST: Form.</p> <p>11 A. I suppose. I think they came back in</p> <p>12 August, at the end of August.</p> <p>13 Q. (BY MR. CUSICK) I know we discussed earlier</p> <p>14 about students coming onto campus for the first time.</p> <p>15 How are they made aware about these --</p> <p>16 about Commissioners Court meetings taking place?</p> <p>17 A. They would have to be aware just like</p> <p>18 everyone else would be. Look in the Commissioners</p> <p>19 Court website -- I mean, in the County's website</p> <p>20 under the agenda.</p> <p>21 Q. So you don't conduct any outreach to make them</p> <p>22 aware that elections they might be voting in, that the</p> <p>23 decisions about the schedule and the hours are being</p> <p>24 discussed at these meetings?</p> <p>25 A. At the Commissioners Court meetings, no.</p>	<p style="text-align: right;">Page 153</p> <p>1 approval process."</p> <p>2 Q. Thank you.</p> <p>3 Do you have any basis to object to the</p> <p>4 factual accuracy of this description?</p> <p>5 MR. SEAQUIST: Object to the form.</p> <p>6 A. No. The hours and dates were in the order</p> <p>7 of election, the form that he approved.</p> <p>8 Q. (BY MR. CUSICK) Were you at the</p> <p>9 September 5th meeting?</p> <p>10 A. I don't remember.</p> <p>11 Q. Would you have had to have been there, though,</p> <p>12 to answer any questions during public comment?</p> <p>13 A. During public -- no, I don't -- I don't</p> <p>14 remember. I may have been there. I don't remember.</p> <p>15 Q. And have you seen the order that was issued?</p> <p>16 A. Yes. I issued it. I mean, I -- I made --</p> <p>17 or I made the order.</p> <p>18 Q. For the Commissioners Court to approve?</p> <p>19 A. Correct.</p> <p>20 Q. And then that was disclosed at the same time at</p> <p>21 this --</p> <p>22 A. Correct.</p> <p>23 Q. -- September 5th meeting?</p> <p>24 A. Yes, if that's what it says, that it was</p> <p>25 approved on.</p>

<p style="text-align: right;">Page 154</p> <p>1 Q. And do you remember how many days in advance</p> <p>2 that the agenda -- strike that.</p> <p>3 Was the proposed order public --</p> <p>4 publicly presented on the Commissioners Court website</p> <p>5 before the Commissioners Court meeting on</p> <p>6 September 5th?</p> <p>7 A. It always is on the -- when they post the</p> <p>8 agenda, it's always in the backup documents.</p> <p>9 Q. And then how would you characterize the</p> <p>10 response from the public when they learned about the</p> <p>11 hours and dates that were approved at each early voting</p> <p>12 location?</p> <p>13 MR. SEAQUIST: Object to the form.</p> <p>14 A. I had no response from the public.</p> <p>15 Q. (BY MR. CUSICK) During the entire month of</p> <p>16 October?</p> <p>17 A. Not to me, no.</p> <p>18 Q. Even if they weren't directly to you, were you</p> <p>19 aware of any that were made either through</p> <p>20 conversations --</p> <p>21 A. Only in Commissioners Court meetings.</p> <p>22 Q. So the October 17th was the first time that</p> <p>23 there were any issues with the early voting --</p> <p>24 A. Correct.</p> <p>25 Q. -- locations and hours?</p>	<p style="text-align: right;">Page 156</p> <p>1 Q. Why did you make that recommendation?</p> <p>2 A. That's what I was trying to look, was there</p> <p>3 a meeting before that? I don't -- was October 17th</p> <p>4 the first meeting we had? There was, like, three</p> <p>5 right in a row.</p> <p>6 Q. Yeah. That was -- October 17th was the</p> <p>7 first --</p> <p>8 A. The very --</p> <p>9 Q. -- the first major one where there were public</p> <p>10 comments.</p> <p>11 MR. SEAQUIST: Object to the form.</p> <p>12 A. Okay. When I made the recommendation to add</p> <p>13 the hours, we had discussed it before in some --</p> <p>14 there was some reason for me to know that they would</p> <p>15 like more hours. I don't remember what it was</p> <p>16 without -- I'm kind of mixed up on my dates.</p> <p>17 Q. (BY MR. CUSICK) No, it might be easier to</p> <p>18 go to something that hopefully will provide a little</p> <p>19 more -- and so this is just for ease of reference.</p> <p>20 This is the Eason exhibit --</p> <p>21 A. It looks like October 10th. That's how I</p> <p>22 knew about it. That's when I proposed the additional</p> <p>23 hours on the Sunday.</p> <p>24 Q. So there were students at that meeting that</p> <p>25 expressed concerns?</p>
<p style="text-align: right;">Page 155</p> <p>1 A. Correct.</p> <p>2 Q. How would you characterize the response from</p> <p>3 Prairie View A&amp;M students about the hours and locations</p> <p>4 during this October 17th meeting?</p> <p>5 MR. SEAQUIST: Object to the form.</p> <p>6 A. They thought that they should have more --</p> <p>7 or they were upset that they were approved and</p> <p>8 thought they should have more.</p> <p>9 Q. (BY MR. CUSICK) At that meeting, you came</p> <p>10 with a proposal to actually increase the number of</p> <p>11 hours at the Memorial Student Center?</p> <p>12 A. Correct.</p> <p>13 Q. How did you make that determination prior to</p> <p>14 the meeting?</p> <p>15 A. How did I make the -- prior to the meeting</p> <p>16 to extend the hours?</p> <p>17 Q. Well, backtrack.</p> <p>18 At the October 17th meeting, you</p> <p>19 provided a recommendation to the Commissioners Court</p> <p>20 that there should be early voting at the Memorial</p> <p>21 Student Center Monday, Tuesday, Wednesday of the</p> <p>22 first week.</p> <p>23 A. Okay.</p> <p>24 Q. That was an initial recommendation?</p> <p>25 A. Uh-huh.</p>	<p style="text-align: right;">Page 157</p> <p>1 A. Correct.</p> <p>2 Q. And why did you make that proposal?</p> <p>3 A. Because I knew that there were -- they were</p> <p>4 upset about the --</p> <p>5 MR. SEAQUIST: Hang on one second.</p> <p>6 I'm going to ask you to read that more carefully.</p> <p>7 Trying to preserve a clear record here. I</p> <p>8 don't -- can we take a break?</p> <p>9 MR. CUSICK: Sure. Off the record for</p> <p>10 a moment.</p> <p>11 (Recess taken.)</p> <p>12 (Exhibit No. 8 marked.)</p> <p>13 MR. CUSICK: So I want to introduce a</p> <p>14 new exhibit, 8, Eason Exhibit 8, the Waller County</p> <p>15 Commissioners Court regular session meeting minutes</p> <p>16 from October 17, 2018, Bates-stamped Defendant 001070</p> <p>17 through Defendants 001074, which was produced by</p> <p>18 counsel.</p> <p>19 Handing a copy to Ms. Eason, handing a</p> <p>20 copy to her counsel.</p> <p>21 MR. SEAQUIST: Counsel, do you mind if</p> <p>22 I move your sticker over here?</p> <p>23 (Exhibit No. 9 marked.)</p> <p>24 MR. CUSICK: Then I'm also introducing</p> <p>25 into the record Exhibit 9, which is a partial</p>

<p style="text-align: right;">Page 158</p> <p>1 transcript of that 10-17 meeting entitled "Partial 2 Transcript of 10-17-2017 Waller County Commissioners 3 Court," which I'm marking as Eason Exhibit 9. 4 I'm handing a copy to Ms. Eason and a 5 copy to her counsel, and just for the record, this is 6 a transcript of the relevant portion of the 7 October 17th meeting that we discussed that were 8 prepared by our staff. 9 MR. SEAQUIST: By plaintiffs' counsel 10 staff? 11 MR. CUSICK: Yes. 12 MR. SEAQUIST: Okay. Thank you. 13 Q. (BY MR. CUSICK) And so I guess, first, 14 Ms. Eason, do you -- you mentioned before you recall 15 the October 17th meeting? 16 A. Uh-huh. Yes. 17 Q. Do you remember the substance of the proposal 18 you presented at that meeting? 19 A. No, not exactly. 20 Q. Do you mind turning to Page 1 of Exhibit 9 and 21 reading aloud? It begins at the time stamp 41. 22 A. Gotcha. 23 Q. And then starting with -- I think it's the 24 second full sentence, "First off." 25 A. Okay. "First off, I want you to know that</p>	<p style="text-align: right;">Page 160</p> <p>1 A. Out of all the early voting centers or all 2 the early voting locations that we had, none of them 3 were the same. There was not equal representation in 4 each one of those. 5 Your Brookshire -- however many hours 6 you had in Brookshire is not the same hours as that 7 you had in the -- in the Prairie View box. The 8 Monaville box is not the same as you had in the 9 Waller box. That's what I meant that -- none of them 10 were equal representation. 11 So by asking for the exact same hours 12 in all of them, I just wanted to make the point that 13 none of them had the exact same hours and dates. 14 Q. So if you turn to Page 2 of the transcript, in 15 the last -- or in the past full sentence at the bottom 16 of the page, it begins with, "So," the sentence, "So in 17 an effort." 18 A. "So in an effort to make the hubs equally, 19 I'm going to propose today that we have early voting 20 at the Memorial Center on campus that Monday and 21 Tuesday of the first week, on that Wednesday to have 22 it at University Square and Thursday and Friday to 23 have it City Hall. 24 Q. And then so based on what you initially said 25 about equal representation, why did you then propose</p>
<p style="text-align: right;">Page 159</p> <p>1 my recommendation today, after looking through my 2 schedule, is merely upon equal representation -- 3 equal representation of the voters in Waller County. 4 If you look through the county, you're going to look 5 at four hubs. I would consider the four hubs. 6 Waller County, it's going to be your Waller area, 7 your Hempstead area, your Prairie View area and your 8 Brookshire area. In looking through the schedule for 9 early voting, the first week, you're correct, there 10 is no early voting in Prairie View." 11 I don't know what that is, something. 12 Q. I'll represent that that's a -- potentially a 13 name that was presented. 14 A. Okay. "And I could sit -- I could sit and 15 tell you a multitude of reasons why that was 16 considered that way, from homecoming to several 17 different reasons. However, when you do look at the 18 schedule, there is not equal representation there." 19 Q. I'll stop you there for a moment. 20 Do you recall making this statement? 21 A. Uh-huh. I do. 22 Q. And what did you mean by there is not equal 23 representation when you're proposing adding early voting 24 days during the first week at the Memorial Student 25 Center?</p>	<p style="text-align: right;">Page 161</p> <p>1 extending early voting hours at the Memorial Student 2 Center? 3 A. Okay. We're going to go back to what you 4 asked me while ago when I had my dates messed up. 5 On the 10th, when we went back into 6 Commissioners Court, if you'll look on my answers 7 here, on the 10th, when I -- this was due to a 8 petition is the reason that we went back into October 9 the 10th into Commissioners Court and added that. 10 That is why I added that Sunday, was I was petitioned 11 to do that. 12 When I went into court on the 17th, 13 which is this here, and I had asked to add those, 14 between the 10th and the 17th, I was approached by 15 someone about adding early voting into that area. 16 That is where I got the proposal to bring to you 17 on -- or bring to Commissioners Court on the 17th. 18 Q. And on the 10-10-28 [as spoken] meeting, you 19 were only extending early voting at the Waller County 20 courthouse? 21 MR. SEAQUIST: Form. 22 A. On the 18th? 23 Q. (BY MR. CUSICK) The 10-10. 24 MR. SEAQUIST: The Sunday vote. 25 A. That was due to a petition. I was</p>

<p style="text-align: right;">Page 162</p> <p>1 petitioned for Sunday hours.</p> <p>2 Q. (BY MR. CUSICK) Who were you petitioned by?</p> <p>3 A. A signature, a petition signature. I had 15</p> <p>4 signatures that I was petitioned to add those hours.</p> <p>5 That is why I came back in and added those on that</p> <p>6 date.</p> <p>7 Then in between time, from that date</p> <p>8 until when I came back the 17th, I had a public</p> <p>9 member come and ask me about possibly adding hours to</p> <p>10 Prairie View for that first week. That is when I</p> <p>11 brought those back on the 17th.</p> <p>12 Q. So then you state, "In an effort to make the</p> <p>13 hubs equally, I'm going to propose today that we have</p> <p>14 early voting at the Memorial Student Center on campus</p> <p>15 that Monday and Tuesday of that first week, on that</p> <p>16 Wednesday to have it at the University Square, and then</p> <p>17 on that Thursday and Friday, to have it at City Hall in</p> <p>18 Prairie View"?</p> <p>19 A. Correct.</p> <p>20 Q. And so it was your determination that this</p> <p>21 proposal would make the hubs equal?</p> <p>22 A. Yes.</p> <p>23 Q. Did you think Prairie View A&amp;M students were</p> <p>24 treated equally or unequally under the initially adopted</p> <p>25 plan --</p>	<p style="text-align: right;">Page 164</p> <p>1 Q. On Page 1 of the -- the transcript, you</p> <p>2 mention, "Now, my job as election" -- sorry, it's the</p> <p>3 middle of the page, beginning with the sentence, "Now."</p> <p>4 A. First page? Yes.</p> <p>5 Q. "Now, my job as election administrator is to</p> <p>6 ensure that the public has confidence in our election</p> <p>7 process."</p> <p>8 Do you recall that statement?</p> <p>9 A. Yes.</p> <p>10 Q. Were you concerned that the initial proposal</p> <p>11 might undermine the public confidence that it has in the</p> <p>12 election process?</p> <p>13 A. No.</p> <p>14 Q. So why did you make the proposal to add early</p> <p>15 voting at the Memorial Student Center here? Was it just</p> <p>16 based on speaking with Mr. Charleston?</p> <p>17 A. No, I -- no. It was based on speaking with</p> <p>18 him about what he felt that the community and Prairie</p> <p>19 View A&amp;M University felt about it not being fair.</p> <p>20 You do have to remember, this was</p> <p>21 switched by -- my schedule did have them on the first</p> <p>22 week of early voting. That was something that</p> <p>23 they -- that the Prairie View students, they didn't</p> <p>24 like because they did not have access to early voting</p> <p>25 that first week. It was during the first week when I</p>
<p style="text-align: right;">Page 163</p> <p>1 MR. SEAQUIST: Object to the form.</p> <p>2 Q. (BY MR. CUSICK) -- as compared to the one</p> <p>3 that you were proposing here for recommendation?</p> <p>4 MR. SEAQUIST: Object to the form.</p> <p>5 You can go ahead.</p> <p>6 A. No, I think they were treated equally.</p> <p>7 Q. (BY MR. CUSICK) But you were making this</p> <p>8 recommendation in an effort to make the hubs equally?</p> <p>9 A. I thought they were equal -- I thought that</p> <p>10 they were treated equally on campus, and the reason</p> <p>11 being is because there were three early voting</p> <p>12 locations in that area. I split that hub in two. If</p> <p>13 I had not done that, the whole amount would have been</p> <p>14 at one location.</p> <p>15 Q. For the petition on 10-10, would we be able to</p> <p>16 get a copy of that?</p> <p>17 A. Sure, or --</p> <p>18 Q. And then you mentioned that you were approached</p> <p>19 in between 10-10 and then making this recommendation?</p> <p>20 A. Uh-huh.</p> <p>21 Q. Who was that by?</p> <p>22 A. Duane Charleston.</p> <p>23 Q. And Duane Charleston is a resident of Waller</p> <p>24 County?</p> <p>25 A. Uh-huh.</p>	<p style="text-align: right;">Page 165</p> <p>1 was asked to change that due to homecoming.</p> <p>2 Q. Did you speak to any students who mentioned the</p> <p>3 concerns about homecoming?</p> <p>4 A. No, not the students, I did not.</p> <p>5 Q. Who communicated that concern to you?</p> <p>6 A. I was asked to do that by the Democratic</p> <p>7 Party chairman.</p> <p>8 Q. And who would that have been?</p> <p>9 A. Rosa Harris.</p> <p>10 Q. Does Rosa Harris have any official connection</p> <p>11 to Prairie View A&amp;M?</p> <p>12 A. Not that I know of.</p> <p>13 Q. Is she seen by your office as an appropriate</p> <p>14 representative for Prairie View A&amp;M?</p> <p>15 MR. SEAQUIST: Objection, form.</p> <p>16 A. She's the Democratic Party chairman.</p> <p>17 Q. (BY MR. CUSICK) By your office, is she seen</p> <p>18 as an appropriate representative for the Prairie View</p> <p>19 A&amp;M students?</p> <p>20 MR. SEAQUIST: Object to the form.</p> <p>21 A. I just believe that -- I mean, she was the</p> <p>22 Democratic Party chairman and that is what she asked</p> <p>23 of the schedule.</p> <p>24 Q. (BY MR. CUSICK) Did you only rely on her</p> <p>25 representation for students at Prairie View A&amp;M, or did</p>

<p style="text-align: right;">Page 166</p> <p>1 you also consult the Republican chair?</p> <p>2 A. Both.</p> <p>3 Q. And did he make -- is it Mr. Luther?</p> <p>4 A. Uh-huh.</p> <p>5 Q. Did he make any representations about</p> <p>6 homecoming on Prairie View A&amp;M campus?</p> <p>7 A. No, not at all.</p> <p>8 Q. Did Ms. Harris represent that she had spoken to</p> <p>9 students who relayed this concern?</p> <p>10 A. Yes.</p> <p>11 Q. Do you consider Prairie View A&amp;M to be a</p> <p>12 Democratic Party institution?</p> <p>13 MR. SEAQUIST: Object to the form.</p> <p>14 A. I -- neither one way or the other, no.</p> <p>15 Q. (BY MR. CUSICK) So we discussed before at</p> <p>16 this meeting that there were students who did not</p> <p>17 identify with either political party. Did that</p> <p>18 undermine your confidence in Ms. Harris'</p> <p>19 representation that she would have acted in their</p> <p>20 interest?</p> <p>21 A. Her decision was made before this meeting</p> <p>22 that I -- that someone had -- had questioned that.</p> <p>23 Q. And upon hearing from the students during the</p> <p>24 meeting, though, did you share a concern that Ms. Harris</p> <p>25 might not actually reflect the views of unaffiliated</p>	<p style="text-align: right;">Page 168</p> <p>1 the aspects of homecoming that take place -- or</p> <p>2 strike that.</p> <p>3 Do you understand what activities take</p> <p>4 place during homecoming on campus?</p> <p>5 A. Do I understand? Not on what goes on at</p> <p>6 Prairie View campus, no.</p> <p>7 Q. Were you solely relying on her representation</p> <p>8 of homecoming at Prairie View A&amp;M in making this</p> <p>9 determination for moving it from the first to the second</p> <p>10 week?</p> <p>11 A. I did it at her request.</p> <p>12 Q. In the past, in other elections, you'd worked</p> <p>13 with Prairie View A&amp;M officials to reserve parking</p> <p>14 spots -- is that correct -- for --</p> <p>15 A. Yes.</p> <p>16 Q. -- voting?</p> <p>17 Why wouldn't that have been a solution</p> <p>18 to overcome the homecoming issue?</p> <p>19 A. I don't know.</p> <p>20 Q. Did you propose that as a solution to her when</p> <p>21 she --</p> <p>22 A. No.</p> <p>23 Q. Did you ask any follow-up questions?</p> <p>24 A. I don't remember.</p> <p>25 Q. Was Ms. Harris' request in writing?</p>
<p style="text-align: right;">Page 167</p> <p>1 Prairie View A&amp;M students?</p> <p>2 A. Somewhat.</p> <p>3 Q. What about even affiliated with a party,</p> <p>4 Prairie View A&amp;M students, do you think she reflected</p> <p>5 those views?</p> <p>6 A. I don't know.</p> <p>7 Q. Aside from Ms. Harris, did anybody directly</p> <p>8 from the university come to speak with you about the</p> <p>9 homecoming issue?</p> <p>10 A. No.</p> <p>11 Q. How did Ms. Harris explain the homecoming issue</p> <p>12 in terms of it not being good for voting?</p> <p>13 A. She stated that the community center -- that</p> <p>14 everyone would be parked around the community center</p> <p>15 and -- I mean the student center, that people could</p> <p>16 not get in and out of the student center to vote,</p> <p>17 that it would be crowded, that alumni would be on</p> <p>18 campus, that it just wouldn't be a good time for</p> <p>19 people to have -- to vote. It would be better the</p> <p>20 next week.</p> <p>21 Q. Do you think that theory makes sense?</p> <p>22 MR. SEAQUIST: Form.</p> <p>23 A. I don't know. I've never been on campus</p> <p>24 during homecoming.</p> <p>25 Q. (BY MR. CUSICK) Do you understand generally</p>	<p style="text-align: right;">Page 169</p> <p>1 A. No.</p> <p>2 Q. Was this during a meeting?</p> <p>3 A. During a meeting in my office.</p> <p>4 Q. In person?</p> <p>5 A. Yes.</p> <p>6 Q. And was homecoming the only reason that you</p> <p>7 relied on for moving it from the first week to the</p> <p>8 second week?</p> <p>9 A. Yes.</p> <p>10 Q. Did the County -- did the County possess</p> <p>11 sufficient equipment to provide more early voting at the</p> <p>12 Prairie View A&amp;M campus based on your proposal to add</p> <p>13 hours during the first week?</p> <p>14 A. Did I have the equipment to do it?</p> <p>15 Q. Yes.</p> <p>16 A. Yes. Like I said before, it wouldn't be</p> <p>17 additional equipment, it would be the same equipment</p> <p>18 rolled into the next week.</p> <p>19 Q. Continued on.</p> <p>20 And so why do you think it was</p> <p>21 important to make the recommendation on 10-17 to have</p> <p>22 additional hours set Monday, Tuesday, Wednesday at</p> <p>23 the Memorial Student Center and then at the</p> <p>24 University Square on Thursday?</p> <p>25 A. Because I felt that in good faith and in an</p>



<p style="text-align: right;">Page 170</p> <p>1 effort to reach out to the campus, that we could do 2 that. 3 Q. And does Mr. Charleston -- sorry. 4 A. Go ahead. 5 Q. No, no. Please finish. 6 A. That's it. 7 Q. Does Mr. Charleston have any affiliation with 8 Prairie View A&amp;M? 9 A. No. 10 Q. So in this effort, as you mentioned, to -- for 11 good faith, did you contact any Prairie View A&amp;M 12 officials about -- 13 A. No. 14 Q. During your conversation with Ms. Harris, did 15 she discuss when homecoming ends, what days? 16 A. I don't remember if she -- I don't remember 17 if she -- if she did. 18 Q. Do you know if it begins on the first Friday of 19 that week? 20 A. I -- she -- I believe it was homecoming week 21 there. 22 Q. So does it begin, let's -- 23 A. I don't know. 24 Q. So when you made this recommendation to the 25 Commissioners Court, it was your determination that you</p>	<p style="text-align: right;">Page 172</p> <p>1 in the community center. 2 Q. And why do you think it was beneficial to have 3 that many days for on-campus voting before you -- 4 A. It was the same amount of days. 5 Q. So it would have been -- 6 A. I just flopped them. It was three days, so 7 it would have been Wednesday, Thursday, Friday. 8 Q. No weekend voting on campus? 9 A. Right. 10 And then Monday, Tuesday. 11 Q. During this meeting, did you also call for 12 parity within and standardization for the early voting 13 schedule? 14 A. Repeat that, please. 15 Q. Did you call for some sort of standardization 16 for how the early voting schedule is created? 17 A. Correct. 18 Q. And why did you make that recommendation? 19 A. I made that so that in the future, not would 20 it only be a benefit to Waller County but to the 21 Prairie View community and every other community in 22 Waller County to have a standardized early voting 23 where you would know every election what early voting 24 locations would be open and we would not have to go 25 through this process every election.</p>
<p style="text-align: right;">Page 171</p> <p>1 had enough resources, based on keeping those -- those 2 machines on campus for the first week and the second, 3 that it would be sufficient to add hours for early 4 voting? 5 MR. SEAQUIST: Form. 6 A. Yes. 7 Q. (BY MR. CUSICK) And how many days initially 8 before it was switched from the first to second week 9 did you anticipate having early voting on campus? 10 Would it have been -- let me strike that for a 11 moment. 12 Under your initial plan before 13 speaking with Ms. Harris, how many days of early 14 voting did you initially propose at the Memorial 15 Student Center before it was submitted to the party 16 chairs? 17 A. I don't -- I don't remember exactly, but I 18 knew it -- me having to go back, it flowed in 19 together. If I'm not mistaken, I believe it started, 20 like, on that Wednesday in the middle of the week and 21 flowed through the weekend and then it added 22 community center at the beginning of the next week. 23 Q. So it would have started Wednesday, went 24 through that weekend? 25 A. Through that, and then ended that next week</p>	<p style="text-align: right;">Page 173</p> <p>1 Q. And you say "this process." Does that mean 2 dealing with disagreement about early voting? 3 A. That and -- yes, just the procedure as far 4 as selecting the places. 5 Q. And then if you turn, again, to the same 6 exhibit, on Page 3. 7 MR. CUSICK: Off the record for a 8 moment. 9 (Brief recess.) 10 MR. CUSICK: I'm sorry. Back on the 11 record. 12 Q. (BY MR. CUSICK) And so at the top of that 13 page, the second full sentence that begins with, "I 14 would like to see," and it says you mentioned, "I would 15 like to see, and like you've said this, it seems to be 16 every election we have the same type of problem with 17 early voting." 18 MR. SEAQUIST: Object to the form. 19 Counsel, I don't think that's what it 20 says. 21 Q. (BY MR. CUSICK) Do you mind reading that 22 sentence? 23 A. "I would like to see, and like you said 24 this, it seems to be every election we have some type 25 of problem with early voting."</p>



<p style="text-align: right;">Page 174</p> <p>1 Q. And so when you say "some type" -- "some type 2 of problem with early voting," what did you mean by that 3 statement? 4 A. The process of picking early voting 5 locations is the problem, the going through the party 6 chairmen and going through the Commissioners Court. 7 There's always a problem with the procedures that we 8 use, is what I meant. 9 Q. But you used this process during your first 10 tenure from 1988 to 1998? 11 A. Somewhat, yes. 12 Q. And before you -- did you indicate earlier that 13 there were any problems with the party -- reliance on 14 the party chairs during that time? 15 A. I don't remember. 16 Q. Were there any issues with party chairs from 17 that time going through this process? 18 A. Not at -- not at that time. 19 Q. What about in 2017? 20 A. We didn't have a -- it was just a 21 constitutional amendment election. 22 Q. But did you go through the party chairs for 23 that? 24 A. No, not on a constitutional amendment 25 election.</p>	<p style="text-align: right;">Page 176</p> <p>1 election about this process? 2 MR. SEAQUIST: Form. 3 A. Well, of course, I'd heard about the 2016 4 election through the long lines and early voting 5 issues which they had had. 6 I mean, in setting things for 2018, I 7 looked back at 2016 records in order to make some of 8 the recommendations, so I did know the things that 9 had gone on in 2016. 10 Q. Did you know that prior to the 2018 primary? 11 A. Did I know what? 12 Q. About the issues that arose in 2016? 13 A. As far as the lines and so forth, yes. 14 Q. The things you just mentioned with -- 15 A. Yes. That is the reason I found the 16 addressing issue. 17 Q. Let me reset. 18 We were just discussing about the 19 issue with early voting schedule and having the 20 chairs in that process? 21 A. Correct. 22 Q. You were aware of those issues in advance of 23 the 2018 primary about using the chairs in the 24 process -- 25 MR. SEAQUIST: Objection.</p>
<p style="text-align: right;">Page 175</p> <p>1 Q. But what about the primary in 2018? 2 A. They do that themselves, so they pretty 3 much get a choice in that. 4 Q. So the only instance of the process issue was 5 in this past general 2018 election? 6 A. Yes, and I was basing it on what I -- what 7 had been done in the past as far as, you know, what I 8 had been told had been gone in the past about not 9 being able to come to an agreement on early voting 10 locations. 11 Q. In this same statement, though, it says that it 12 seems to be every election we have the same type of 13 problem? 14 A. Right, and not just -- and I didn't mean 15 Prairie View, I mean the whole county. It wasn't 16 just a Prairie View issue, it was a whole early 17 voting issue throughout the whole county. 18 Q. And so people represented that they had issues 19 with the county chairs' involvement in determining -- 20 A. No, I'm just talking about the times and the 21 locations. We have so many rural areas in our 22 county, I don't know where to put those boxes and 23 when to put them there. 24 Q. And whom were you told by outside of your 25 personal experience in 2018 about the issues in every</p>	<p style="text-align: right;">Page 177</p> <p>1 Q. (BY MR. CUSICK) -- setting the early voting 2 schedules? 3 MR. SEAQUIST: Object to the form. 4 A. We've always used the chairs. 5 Q. (BY MR. CUSICK) So here again, it says that we 6 have the same type of problem in every election. 7 MR. SEAQUIST: Objection. 8 Counsel, I've got to correct you 9 again. It does not say "the same type of problem." 10 Q. (BY MR. CUSICK) Some type of problem. 11 Sorry. 12 MR. SEAQUIST: Thank you. 13 Q. (BY MR. CUSICK) "We have some type of 14 problem with early voting." 15 And then you mentioned that one of the 16 reasons you made the recommendations for 17 standardization was because the process and reliance 18 on the party chairs partially? 19 A. Okay. What I'm saying is and what it says 20 here is we have -- and he's right -- some type of 21 problem. I'm not saying we have the exact same 22 problem every single election, but there's always a 23 problem with early voting, whether it be how many 24 locations to open, where to put the locations, the 25 party chairman agreeing on it, changing their mind</p>

<p style="text-align: right;">Page 178</p> <p>1 after it's already approved. There's always some 2 type of problem setting the early voting locations. 3 Q. And so in -- on the same page, I think it's two 4 sentences below and it begins, "And you're exactly 5 right." 6 A. Uh-huh. 7 "We do need to get community members 8 from every part of the county." 9 Is that what you're talking about? 10 Q. Yes. Do you mind reading that sentence? 11 A. Uh-huh. 12 "Not only Prairie View, but from 13 Brookshire, from Waller, from Hempstead, everyone sit 14 down and do what's best for the areas in our county." 15 Q. And then the last sentence? 16 A. "And do a type of early voting schedule -- 17 and do some type of standard early voting schedule 18 that we can depend on for each election." 19 Q. And so here, do you recall making this 20 statement? 21 A. Yes. 22 Q. And why is it important to get community 23 members involved in this process? 24 MR. SEAQUIST: Form. 25 A. So that each area of our county can be</p>	<p style="text-align: right;">Page 180</p> <p>1 Q. (BY MR. CUSICK) And for the Prairie View 2 A&amp;M students, were they advocating for early voting 3 on campus? 4 A. Correct. 5 Q. And what did the Commissioners Court decide 6 with respect to this proposal for adding at the Memorial 7 Student Center during the first week, what did they -- 8 what did they decide to do with your recommendation? 9 MR. SEAQUIST: Object to the form. 10 A. The -- the one we were just talking about? 11 Q. (BY MR. CUSICK) Yeah, the one you made for 12 the early voting at the Memorial Center on campus for 13 Monday, Tuesday. 14 MR. SEAQUIST: Same form objection. 15 A. There was no action taken. 16 Q. (BY MR. CUSICK) Do you think it was the 17 right decision by the Commissioners Court to take no 18 action? 19 MR. SEAQUIST: Object to the form. 20 A. I can't tell you what -- I don't know. 21 Q. (BY MR. CUSICK) When you're making 22 recommendations to the Commissioners Court for adding 23 hours, is it your determination that that's in the 24 best interest of Waller County? 25 MR. SEAQUIST: Form.</p>
<p style="text-align: right;">Page 179</p> <p>1 represented. 2 Q. (BY MR. CUSICK) And then so was there -- 3 with this understanding, was there anything 4 preventing you from reaching out to community members 5 to get them involved in August of 2018 or September 6 of 2018? 7 A. No. 8 Q. Was it your plan before these issues were 9 discussed at the 10-17 meeting to move towards 10 standardization? 11 A. Yes. 12 Q. Do you recall whether any Prairie View A&amp;M 13 students testified at the October 17th meeting? 14 A. Yes. 15 MR. SEAQUIST: Object to the form. 16 Q. (BY MR. CUSICK) And to the best of your 17 recollection, do you remember what they were 18 advocating for? 19 A. Early voting locations the first week of 20 early voting. 21 Q. From your recollection, did any of the 22 community members who testified at that 10-17 meeting 23 oppose adding hours to on-campus voting? 24 MR. SEAQUIST: Object to the form. 25 A. I don't remember.</p>	<p style="text-align: right;">Page 181</p> <p>1 A. If that's what I made, yes. 2 Q. (BY MR. CUSICK) And so by adopting your 3 proposal, it would be beneficial to Waller County? 4 MR. SEAQUIST: Object to the form. 5 A. I believe it would have been beneficial to 6 the situation that they were dealing with. 7 Q. (BY MR. CUSICK) And the situation in this 8 case was adding early voting on campus during the 9 first week at the Memorial Student Center? 10 A. Right. 11 Q. And would it be fair to characterize that it 12 would have been responsive to the concerns that were -- 13 students testified at the October 17th meeting? 14 MR. SEAQUIST: Objection, form. 15 A. No. 16 Q. (BY MR. CUSICK) So adding early voting 17 hours on campus during the first week would not have 18 addressed those concerns? 19 A. It might have addressed some of them but not 20 all of them. 21 Q. What other concerns were they raising aside 22 from more hours on campus? 23 A. Okay. I guess I misunderstood you. I'm 24 thinking that for the reasons -- I don't agree with 25 the reasons they were saying that they weren't given</p>

<p style="text-align: right;">Page 182</p> <p>1 early voting the first week, is what I'm saying.</p> <p>2 Q. Do you agree, though, that their advocacy,</p> <p>3 regardless of what the issue was why they didn't have</p> <p>4 it, by adopting your proposal, that would have resolved</p> <p>5 at least having it during the first week?</p> <p>6 MR. SEAQUIST: Object to the form.</p> <p>7 A. No.</p> <p>8 Q. (BY MR. CUSICK) So you think they were</p> <p>9 asking for additional advocacy beyond early voting on</p> <p>10 campus?</p> <p>11 A. You're asking by putting it there, would it</p> <p>12 have solved the problems that they were saying that</p> <p>13 they were having -- why we didn't put it there. It</p> <p>14 wouldn't have solved those problems, no.</p> <p>15 Q. But for the immediate election, it would have</p> <p>16 solved their concern?</p> <p>17 Earlier you testified that they were</p> <p>18 asking for more early voting on campus for the 2018</p> <p>19 general election.</p> <p>20 A. Correct.</p> <p>21 Q. And in your proposal, you add two additional</p> <p>22 days at the Memorial Student Center, one at the</p> <p>23 University Square. Do you think that recommendation was</p> <p>24 responsive to those concerns of -- of simply just asking</p> <p>25 for on-campus early voting --</p>	<p style="text-align: right;">Page 184</p> <p>1 A. Uh-huh.</p> <p>2 Q. If you could read down until the second-to-last</p> <p>3 sentence into the record.</p> <p>4 A. "After the commissioners had rejected the</p> <p>5 proposed modifications suggested by elections</p> <p>6 administrator Ms. Eason, Judge Duhon then proposed an</p> <p>7 alternative plan that would have provided three</p> <p>8 additional days of early voting during the first week</p> <p>9 at the Waller County Community Center in the City of</p> <p>10 Prairie View, while extending the hours of early</p> <p>11 voting in Monaville by three hours each day the first</p> <p>12 week of early voting. During the exchange with</p> <p>13 Commissioner Beckendorff, Ms. Eason confirmed that</p> <p>14 the County's existing inventory of voting machines</p> <p>15 was adequate to support such change.</p> <p>16 "Commissioner Beckendorff: Do you</p> <p>17 have the equipment to do that?</p> <p>18 "Ms. Eason: Yes, I can do that.</p> <p>19 "Beckendorff: You can add another</p> <p>20 location for the first week?</p> <p>21 "Ms. Eason: Yes, because I can move</p> <p>22 it down there to the next week.</p> <p>23 "However, Judge Duhon's proposal did</p> <p>24 not receive a second."</p> <p>25 Q. And so here, your representation to the</p>
<p style="text-align: right;">Page 183</p> <p>1 A. Yes.</p> <p>2 Q. -- during the first week?</p> <p>3 A. Yes.</p> <p>4 Q. Were there other proposals to add hours and</p> <p>5 days at other locations that are considered during this</p> <p>6 meeting?</p> <p>7 A. I believe they were -- I believe one of the</p> <p>8 commissioners had mentioned them, yes. Actually, I</p> <p>9 think two commissioners had mentioned other hours.</p> <p>10 Q. Could it have been for Monaville?</p> <p>11 A. Monaville and one down in Pattison, I</p> <p>12 believe.</p> <p>13 Q. Do you remember which commissioner made the</p> <p>14 inquiry or suggestion to add Monaville?</p> <p>15 A. Possibly Commissioner Barnett, I believe.</p> <p>16 Q. And -- sorry. I didn't catch the second</p> <p>17 recommendation. What was the other?</p> <p>18 A. I believe in Pattison, I believe it was</p> <p>19 maybe Beckendorff.</p> <p>20 Q. And then turning back to Exhibit 3, which is</p> <p>21 the Dr. Flores report.</p> <p>22 A. Uh-huh.</p> <p>23 Q. If you could turn to Page 25, and then</p> <p>24 beginning with the second paragraph, beginning at,</p> <p>25 "After the commissioners had rejected."</p>	<p style="text-align: right;">Page 185</p> <p>1 community [as spoken] court is based on your appraisal</p> <p>2 that there were sufficient resources for your</p> <p>3 recommendation?</p> <p>4 A. Correct, as long as I could, as I said, move</p> <p>5 them from one location to the other.</p> <p>6 Q. And then the first full paragraph, beginning on</p> <p>7 that page, 25, where it says, "Referring to Commissioner</p> <p>8 Barnett's objection," do you mind reading those two?</p> <p>9 A. "Referring to Commissioner Barnett's</p> <p>10 objection to the proposal because it did not add</p> <p>11 early voting days in Monaville. Ms. Eason stated,</p> <p>12 'Can I be very honest with you, Mr. Barnett?</p> <p>13 Monaville does just not vote that heavy there, I</p> <p>14 mean, not for five days.'"</p> <p>15 Q. Do you have any basis to object to the factual</p> <p>16 accuracy of that representation you made?</p> <p>17 A. No.</p> <p>18 Q. Do you recall proposals or what is -- strike</p> <p>19 that.</p> <p>20 Was Commissioner Barnett the only one</p> <p>21 to propose adding early voting in Monaville?</p> <p>22 A. In Monaville?</p> <p>23 Q. Correct.</p> <p>24 A. That I remember. I mean, as far as I</p> <p>25 remember.</p>

<p style="text-align: right;">Page 186</p> <p>1 Q. Do you remember -- why would -- do you remember</p> <p>2 why the -- strike that.</p> <p>3 Why do you think the commissioners</p> <p>4 wanted to add voting in Monaville?</p> <p>5 A. I don't know.</p> <p>6 Q. Were any of the proposals, either yours or</p> <p>7 either of the two from the commissioners, adopted by the</p> <p>8 Commissioners Court at the end of this meeting?</p> <p>9 A. No.</p> <p>10 MR. SEAQUIST: Object to form.</p> <p>11 Q. (BY MR. CUSICK) But subsequently, after</p> <p>12 this lawsuit that we're here for the deposition</p> <p>13 today, the Commissioners Court did end up adding</p> <p>14 early voting in Prairie View; is that correct?</p> <p>15 A. I think they extended the hours. They</p> <p>16 didn't add days, they extended the hours and added a</p> <p>17 day in City Hall.</p> <p>18 Q. And can you --</p> <p>19 A. Or Sunday afternoon in City Hall.</p> <p>20 Q. Do you remember when this change was made?</p> <p>21 A. No.</p> <p>22 Q. And so at that time, when they were making this</p> <p>23 determination, were you consulted at all about the</p> <p>24 logistics of adding more hours at -- or strike that.</p> <p>25 Were you consulted at all during this</p>	<p style="text-align: right;">Page 188</p> <p>1 responsive to Prairie View A&amp;M students' concerns?</p> <p>2 MR. SEAQUIST: Form.</p> <p>3 A. Yes.</p> <p>4 Q. (BY MR. CUSICK) And so even though they did</p> <p>5 not get any early voting on campus during the first</p> <p>6 week, it was still responsive to those claims that</p> <p>7 they had advocated for?</p> <p>8 A. Yes.</p> <p>9 Q. And why is that?</p> <p>10 A. As far as adding the additional hours? They</p> <p>11 wanted more time to be able to vote. They wanted</p> <p>12 more hours to be able to vote and they were given</p> <p>13 more hours to vote, as well as the City of Prairie</p> <p>14 View was also given extra time to vote, as well.</p> <p>15 Q. Did anybody advocate just for more hours during</p> <p>16 the second week at the October 17th meeting?</p> <p>17 MR. SEAQUIST: Form.</p> <p>18 A. Did they -- did they advocate for more</p> <p>19 hours?</p> <p>20 Q. (BY MR. CUSICK) Just more hours, even if it</p> <p>21 wasn't during the first week?</p> <p>22 A. Yes, actually, they did. I think someone</p> <p>23 asked -- basically he just -- I don't know exactly</p> <p>24 where it is, but, yes, I believe they did.</p> <p>25 (Exhibit No. 10 marked.)</p>
<p style="text-align: right;">Page 187</p> <p>1 process?</p> <p>2 MR. SEAQUIST: I'm going to instruct</p> <p>3 the witness not the answer on the basis of executive</p> <p>4 session as well as attorney work product, attorney</p> <p>5 privilege.</p> <p>6 Q. (BY MR. CUSICK) Without going into the</p> <p>7 context, were you present at the executive session on</p> <p>8 October 24th, 2018 during the Commissioners Court</p> <p>9 meeting?</p> <p>10 A. Yes.</p> <p>11 Q. And again, without going into the context, were</p> <p>12 you consulted during that meeting in the executive</p> <p>13 session?</p> <p>14 MR. SEAQUIST: Again, if you're going</p> <p>15 to ask the question that way, I'm going to instruct</p> <p>16 the witness not to answer as to what took place in</p> <p>17 executive session.</p> <p>18 Q. (BY MR. CUSICK) Were you there during the</p> <p>19 entire executive session?</p> <p>20 A. Yes.</p> <p>21 Q. Based on the additional hours that were adopted</p> <p>22 by the Commissioners Court in that modified plan as</p> <p>23 compared to the one you proposed about adding early</p> <p>24 voting on the first week of campus, do you think the</p> <p>25 changes that were adopted on October 24th were still</p>	<p style="text-align: right;">Page 189</p> <p>1 MR. CUSICK: I'm just adding into the</p> <p>2 record as Eason Exhibit 10, this is the minutes from</p> <p>3 the October 24th Waller County Commissioners Court</p> <p>4 emergency session.</p> <p>5 Giving a copy to Ms. Eason, one to her</p> <p>6 counsel. It's also for identification Bates stamped</p> <p>7 001077 through 001078.</p> <p>8 (Exhibit No. 11 marked.)</p> <p>9 MR. CUSICK: So this is Exhibit 11.</p> <p>10 This is a similar partial transcript of the</p> <p>11 10-24-2018 meeting during public agenda items.</p> <p>12 Waller County Commissioners Court transcript,</p> <p>13 10-24-2018.</p> <p>14 Handing a copy to Ms. Eason, one to</p> <p>15 her counsel.</p> <p>16 Q. (BY MR. CUSICK) And do you mind reading on</p> <p>17 Page 2 of that transcript, in the middle, it's a comment</p> <p>18 by Judge Duhon. It says -- beginning, "The current</p> <p>19 court," and reading that sentence and the second one.</p> <p>20 A. "The current court has a record of actively</p> <p>21 engaging with Prairie View A&amp;M community and its</p> <p>22 students, including placing a polling location for</p> <p>23 students on campus, and did so prior to any threat of</p> <p>24 federal intervention. We have analyzed our resources</p> <p>25 in attempt to extend additional hours and times and</p>

<p style="text-align: right;">Page 190</p> <p>1 have done so, but also citizens of Waller County must 2 be accommodated with the limited resources of a small 3 county." 4 Keep going? 5 Q. No, it's okay. 6 And so based on Judge Duhon's public 7 statement here on 10-24, the only feasible or 8 possible were extending additional hours based on 9 resources at the Memorial Student Center for those 10 Monday, Tuesday and Wednesday of the second week? 11 MR. SEAQUIST: Object to the form. 12 Q. (BY MR. CUSICK) And so earlier you 13 testified that on October 17, 2018, that you had the 14 resources to extend early voting on campus at the 15 Memorial Student Center for at least that Monday and 16 Tuesday and the resources were in place. Then on 17 10-24, Judge Duhon makes this public statement that 18 based on those -- the same resources, that the 19 extension of early voting on campus during the second 20 week was based on the resources available, so I'm 21 wondering what changed from the first week to the 22 second week based on your determination? 23 MR. SEAQUIST: Object to the form. 24 A. I -- I don't know what -- I can't tell you 25 what he meant by that.</p>	<p style="text-align: right;">Page 192</p> <p>1 don't like this, and the voting schedule -- the prior 2 voting schedule was approved, was it approved by 3 party chairs?" 4 Q. Would this September 22nd meeting, this would 5 have been a Saturday? Would that have been -- would 6 that have been accurate? 7 MR. SEAQUIST: Object to the form? 8 A. I've never met on a Saturday. 9 Q. (BY MR. CUSICK) Could Judge Duhon potentially 10 have meant August 22nd? 11 A. I don't know what he meant, but I'm assuming 12 yes. 13 Q. And then on Page 4 of that next page, 14 Commissioner Amsler -- sorry, this is actually Judge 15 Duhon at the 5005 mark. If you can read the third 16 sentence, beginning with, "I want you to -- I want you 17 know." 18 A. "I want you to know this is a process, and 19 that process is the chairs work together. They're 20 supposed to communicate with their candidates to go 21 over these early voting schedules and make sure that 22 everyone is okay with these schedules." 23 Q. Thank you. 24 And so here, Judge Duhon represents 25 that they communicate with the candidates. Do they</p>
<p style="text-align: right;">Page 191</p> <p>1 Q. (BY MR. CUSICK) So if you -- you can't tell 2 me what he meant by that, would that mean that the 3 10-17 statement -- public statement that you made 4 would still be accurate by 10-24? 5 MR. SEAQUIST: Object to the form. 6 A. The statements I made were correct. 7 Q. (BY MR. CUSICK) Would they have still been 8 correct by 10-24 -- or accurate? 9 A. Yes. 10 Q. I'm sorry? 11 A. Yes. 12 Q. I'm going to turn back to the transcript which 13 is Exhibit 9, and then on Page 3, the last full sentence 14 that begins, "Then, when we went." This is a statement 15 by Judge Duhon. Do you mind reading that sentence at 16 the bottom? 17 A. "Then, when we went -- then, when we went, 18 September 22nd, this Court approved the schedule 19 and at the time, we had the locations, the time. 20 There was no discussion, there was nobody that showed 21 up, nobody gave any comment at all. Now, I know that 22 when we looked at the locations, I made it clear 23 because this is now the third year in a row we have 24 approved the voting schedule and then had people come 25 back after the fact and said, I don't like that, I</p>	<p style="text-align: right;">Page 193</p> <p>1 also communicate with non-candidates? 2 A. I don't know who they communicate with. 3 Q. Do you think it's important to know who the 4 commissioners are communicating with when you're 5 receiving feedback from them? 6 MR. SEAQUIST: Form. 7 A. The commissioners are communicating or the 8 chairs? 9 Q. (BY MR. CUSICK) I'm sorry, the county 10 chairs. 11 A. I don't know if the -- this is Judge Duhon's 12 opinion of what the chairs do. I don't know -- I 13 don't know anything about that. 14 Q. And then on Pages 7 and 8 -- sorry, on Page 8, 15 right here, it's towards the bottom, about four lines up 16 from Commissioner Barnett's, "Outside the campus," the 17 sentence begins, "So there's eight days." This is Judge 18 Duhon. Do you mind reading that sentence, those two 19 sentences? 20 A. On 7 or 8? 21 Q. Sorry, just on Page 8, right here. "So there's 22 eight days." 23 A. "So there's eight days. I do think there is 24 an inequity because you have -- you look at the other 25 precincts at their primary polls and there's 11 days,</p>



<p style="text-align: right;">Page 194</p> <p>1 okay? How do you put those on campus? Where the --</p> <p>2 because I've heard from folks this week that what's</p> <p>3 being lost in translations, too, is the citizens of</p> <p>4 Prairie View."</p> <p>5 Q. And so here, what did you make of Judge Duhon's</p> <p>6 statement that there's -- "I think there is inequity"?</p> <p>7 MR. SEAQUIST: Object to the form.</p> <p>8 A. By looking at what was on paper, but what he</p> <p>9 said, and I do agree, what we did lose in that or</p> <p>10 what was lost in that is what was important to the</p> <p>11 citizens of Prairie View, as well. It wasn't just</p> <p>12 the students, we had to think about the citizens of</p> <p>13 Prairie View and their voting, as well.</p> <p>14 Q. (BY MR. CUSICK) Did any of them testify</p> <p>15 during the 10-17 meeting?</p> <p>16 MR. SEAQUIST: Form.</p> <p>17 A. I don't -- I don't recall.</p> <p>18 Q. (BY MR. CUSICK) Did you do any outreach to</p> <p>19 assess the impact on non-students who are also</p> <p>20 residents of Prairie View?</p> <p>21 A. I've had many residents from Prairie View</p> <p>22 come to my office about having to go on campus to</p> <p>23 vote.</p> <p>24 Q. About -- I'm sorry?</p> <p>25 A. About having to go on campus to vote.</p>	<p style="text-align: right;">Page 196</p> <p>1 looking at this and I appreciate your</p> <p>2 recommendations. I'm a little concerned if we go</p> <p>3 with these recommendations, we're going to have four</p> <p>4 different early voting locations in Precinct 3. I</p> <p>5 think it will cause confusion for people to go."</p> <p>6 Q. So Commissioner -- sorry, strike that.</p> <p>7 Judge Duhon, is -- is he speaking</p> <p>8 about your proposal here about causing confusion?</p> <p>9 A. It looks like it, yes.</p> <p>10 Q. And then in addition to that, on Page 13 --</p> <p>11 actually, strike that.</p> <p>12 What did you make of Judge Duhon's</p> <p>13 comment that your proposal would cause confusion?</p> <p>14 MR. SEAQUIST: Object to the form.</p> <p>15 A. I think he believed that it would cause</p> <p>16 confusion because there were so many different places</p> <p>17 to go.</p> <p>18 Q. (BY MR. CUSICK) And is it your</p> <p>19 understanding that it would -- would it have caused</p> <p>20 confusion?</p> <p>21 A. It could have.</p> <p>22 Q. But you wouldn't have made a recommendation</p> <p>23 that would have caused confusion?</p> <p>24 MR. SEAQUIST: Form.</p> <p>25 A. At that point, we were already about to</p>
<p style="text-align: right;">Page 195</p> <p>1 Q. Are the students citizens of Prairie View?</p> <p>2 A. Yes.</p> <p>3 Q. Then on Page -- beginning on Page 8, on the</p> <p>4 last -- the last sentence, going over to Page 9, do you</p> <p>5 mind reading that sentence and then the first sentence</p> <p>6 on Page 9?</p> <p>7 A. "And I do think -- I do think that will</p> <p>8 cause confusion because people are going to go --</p> <p>9 well, wait a minute. Wednesday of the first week you</p> <p>10 can go to University Square at Prairie View, and then</p> <p>11 if it's Thursday, you go to City Hall, but if it's</p> <p>12 next Thursday, you go to Waller Community Center, and</p> <p>13 if it's Monday or Tuesday, you're at the campus."</p> <p>14 Q. And so here is Judge Duhon -- are those</p> <p>15 statements about the proposal that you recommended at</p> <p>16 this -- at this hearing?</p> <p>17 A. I don't know. I don't know.</p> <p>18 Q. I'm sorry, it might be helpful if you go up to</p> <p>19 the next page. I think it begins with, "Now, with all</p> <p>20 that in mind, I'm looking at this and I appreciate --</p> <p>21 Christy, I appreciate your recommendations."</p> <p>22 A. "Outside of the campus, and, you know,</p> <p>23 unless they go to Monaville or they go on campus,</p> <p>24 they have two days of early voting in the City of</p> <p>25 Prairie View. Now, with all of that in mind, I'm</p>	<p style="text-align: right;">Page 197</p> <p>1 start early voting. We had to put it there in order</p> <p>2 for my machines to work like they would.</p> <p>3 Q. And so when you made this recommendation on</p> <p>4 10-17, you did not have any concerns that if the</p> <p>5 Commissioners Court adopted the proposal, it would cause</p> <p>6 confusion?</p> <p>7 A. No.</p> <p>8 Q. And then similarly, on Page 13 at the top, the</p> <p>9 time stamp is 7531, do you mind just reading</p> <p>10 Commissioner Beckendorff's statement?</p> <p>11 A. "If today's like these, if we change it" --</p> <p>12 wait.</p> <p>13 "If today's like this, if we change it</p> <p>14 now, I agree with you, Judge, it's going to be more</p> <p>15 confusing about, okay, we're changing these dates,</p> <p>16 we're adding these dates, we're doing this and making</p> <p>17 it harder. We're giving in to the political games</p> <p>18 that are being played."</p> <p>19 Q. Do you think your recommendation, if adopted by</p> <p>20 the -- the Commissioners Court, would have made it</p> <p>21 more -- would have made it harder to vote?</p> <p>22 MR. SEAQUIST: Form.</p> <p>23 A. No, not harder to vote, no.</p> <p>24 Q. (BY MR. CUSICK) And could you have, in</p> <p>25 theory, kept those machines at the Memorial Student</p>

50 (Pages 194 - 197)



<p style="text-align: right;">Page 198</p> <p>1 Center during the entire week after Monday and  2 Tuesday and kept them on the campus grounds through  3 the entire first week?  4 A. Yes.  5 Q. If you turn to Page 9 and 10, beginning on Page  6 9, the statement by Commissioner Barnett. If you give  7 me one second. Do you mind reading -- do you mind  8 reading that paragraph just until the last sentence  9 where it says, "The chairs won't"?  10 A. After that, that was --  11 Q. Sorry. Beginning at, "Thank you," and then  12 reading --  13 A. "Thank you for -- thank you, Judge. My  14 thing is this, going to where I feel is one of the  15 root -- to the root of this thing is going back to  16 the party chairs. You know this court, we don't get  17 a say in selecting any of that. When it comes to us,  18 it's already selected. We do ask a question to the  19 chairs if it's agreeable with them, if it's agreeable  20 with those individuals that they represent, and then  21 once we get that answer, we decide, we do our vote,  22 and 99-9/10 percent of the time, we vote according to  23 what we feel that the voting population being  24 represented through the chairs wants. Now" --  25 Q. Sorry.</p>	<p style="text-align: right;">Page 200</p> <p>1 We're not trying to disenfranchise anybody."  2 Q. What did you make of his statement saying that,  3 "When it comes election time, this same issue comes up  4 every time"?  5 MR. SEAQUIST: Object to the form.  6 A. I don't know what issue he's specifically  7 talking about.  8 Q. (BY MR. CUSICK) Do you mind -- you -- you  9 can read -- do you mind reading to yourself the --  10 Commissioner Beckendorff's paragraph above, and that  11 might be helpful.  12 A. Okay. And your question?  13 Q. Do you know what he's referring to by "this  14 same issue comes up every time"?  15 MR. SEAQUIST: Object to the form.  16 A. About --  17 Q. (BY MR. CUSICK) I guess in relation --  18 A. -- everyone wanting -- about everyone  19 wanting an early voting location in a different -- or  20 an early voting spot in a different location.  21 Q. No, in relation to his next sentence where he  22 says, "People are inferring that we're trying to  23 disenfranchise a block of voters. We're trying to" --  24 just, I guess, that first portion of that sentence.  25 Would he be referring to "block of voters" as the</p>
<p style="text-align: right;">Page 199</p> <p>1 So here, Commissioner Barnett says,  2 "We don't get a say in selecting any of that,"  3 referring to the schedule. Is that an accurate  4 statement, that the Commissioners Court doesn't get  5 any say in selecting, I guess, hours or locations of  6 early voting?  7 A. They vote on it, yes or no, to approve or  8 disapprove.  9 Q. When they say it's already selected when it  10 comes to them --  11 A. I -- go ahead.  12 Q. -- do they have any input to push back and  13 change it when they're -- when it's being presented to  14 them in public forum?  15 A. Yes.  16 Q. So they do have a say?  17 A. Yes.  18 Q. And then Page 12, at the second time stamp,  19 7442, there is a -- do you mind reading the portion by  20 Commissioner Amsler?  21 A. "This is beginning to sound like a broken  22 record. Ever since I've been on this Court, when it  23 comes to election time, this same issue comes up  24 every time. People are inferring -- inferring that  25 we are trying to disenfranchise a block of voters.</p>	<p style="text-align: right;">Page 201</p> <p>1 Prairie View A&amp;M students?  2 MR. SEAQUIST: Object to the form.  3 A. I don't know.  4 Q. (BY MR. CUSICK) Have you heard any -- or  5 strike that.  6 Have you represented that people have  7 inferred that the Commissioners Court has tried to  8 disenfranchise any blocks of voters in Waller County?  9 A. No.  10 Q. And so that would include Prairie View A&amp;M  11 students?  12 A. Correct.  13 Q. Was the Democratic chair, Rosa Harris, in  14 attendance at this meeting on 10-17?  15 A. No.  16 Q. Do you know why she wasn't in attendance?  17 A. No, I don't.  18 Q. I want to turn your attention to Page 16. If  19 you could read from time stamp 8318 all the way down to  20 8359 where Kendric Jones says, "That's a no in my  21 standpoint," from beginning with Judge Duhon to Kendric  22 Jones.  23 A. "Thank you. Yes, ma'am. Good morning. My  24 name" -- that's where?  25 Q. Oh, no. Sorry. Page 16, where it says, "As a</p>

<p style="text-align: right;">Page 202</p> <p>1 student and as a student leader."</p> <p>2 A. "As a student leader -- and as a student</p> <p>3 leader, I'd like your opinion if you think -- if you</p> <p>4 think if, by adding days at the community center</p> <p>5 which is next to the post office, is an -- is that</p> <p>6 accessible to students?</p> <p>7 "Kendric: As we brought this up last</p> <p>8 time, what's accessible to you guys is not accessible</p> <p>9 to us. Being that the MSC is our local point on</p> <p>10 campus, students get more mail sent to our local</p> <p>11 mail -- students get more mail sent to our local mail</p> <p>12 than we have on campus rather than the Postal</p> <p>13 Service, which is right next to the community center.</p> <p>14 "Judge Duhon: So that is a yes or no?</p> <p>15 "Kendric Jones: That is a no in my</p> <p>16 standpoint."</p> <p>17 Q. And so what is your -- what is your impression</p> <p>18 from Mr. Jones' representation here about what students</p> <p>19 would want if hours were added to the community center?</p> <p>20 MR. SEAQUIST: Object to form.</p> <p>21 A. They would want them right there where they</p> <p>22 could easily access them.</p> <p>23 Q. (BY MR. CUSICK) And when you say "right</p> <p>24 there," that's not the community center?</p> <p>25 A. No. Right. They would want them right</p>	<p style="text-align: right;">Page 204</p> <p>1 Q. So you go through a parking lot?</p> <p>2 A. I went through the stadium parking lot,</p> <p>3 right up to the back of the community center.</p> <p>4 Q. And do you go over -- go on any roads --</p> <p>5 A. No.</p> <p>6 Q. -- after you go through the parking lot?</p> <p>7 A. No.</p> <p>8 Q. Is it grass?</p> <p>9 A. Yes.</p> <p>10 Q. But no sidewalks?</p> <p>11 A. There were some sidewalks and some not.</p> <p>12 Q. And then I know we discussed a little bit</p> <p>13 earlier about students being represented by the party</p> <p>14 chairs.</p> <p>15 Do you mind turning to Page 17?</p> <p>16 A. Uh-huh.</p> <p>17 Q. And then it's 80 -- time stamped 8637.</p> <p>18 Do you mind reading Ms. Budwine's</p> <p>19 comments?</p> <p>20 A. Uh-huh.</p> <p>21 "Okay. So students and student</p> <p>22 leaders in here will know from now on to check our</p> <p>23 party chair. Like, I'm not with the</p> <p>24 Democratic/Republican fight. It's about fairness and</p> <p>25 the students. You can keep in touch with the</p>
<p style="text-align: right;">Page 203</p> <p>1 there where they didn't have to -- to -- to travel</p> <p>2 and need to go to a location.</p> <p>3 Q. At the -- is that the Memorial Student Center?</p> <p>4 A. They wanted it in the Memorial Student</p> <p>5 Center and the -- not to have to walk to the</p> <p>6 community center.</p> <p>7 Q. And Judge Duhon asked, "Is that accessible to</p> <p>8 students, the community center?"</p> <p>9 A. Correct.</p> <p>10 Q. And Mr. Jones represents, "That's a no in my</p> <p>11 standpoint"?</p> <p>12 A. Correct.</p> <p>13 Q. And so based on this representation, would you</p> <p>14 be concerned that the community center isn't accessible</p> <p>15 to students?</p> <p>16 MR. SEAQUIST: Form.</p> <p>17 A. No. I think it's -- no, that's not what I</p> <p>18 would -- would say.</p> <p>19 Q. (BY MR. CUSICK) Have you walked to the</p> <p>20 community center before on campus?</p> <p>21 A. Yes.</p> <p>22 Q. There's a footpath?</p> <p>23 A. No, I didn't walk the footpath. I walked</p> <p>24 across the way, through the parking lot and across</p> <p>25 the way.</p>	<p style="text-align: right;">Page 205</p> <p>1 election to watch our agendas, when it gets posted on</p> <p>2 the agendas."</p> <p>3 Q. And so here, would it -- how did you interpret</p> <p>4 that, it's, "I'm not with the Democratic/Republican</p> <p>5 fight, it's about fairness and the students"?</p> <p>6 MR. SEAQUIST: Object to the form.</p> <p>7 A. I think that she's talking about it's not a</p> <p>8 fight between Democrats and Republicans, that she</p> <p>9 was -- and that she wasn't want to get into that</p> <p>10 battle.</p> <p>11 Q. (BY MR. CUSICK) And so would it be fair to</p> <p>12 say that it transcends any of the partisan concerns</p> <p>13 that were expressed at this meeting?</p> <p>14 MR. SEAQUIST: Object to the form.</p> <p>15 A. What she stated it was -- that was not,</p> <p>16 rather.</p> <p>17 Q. (BY MR. CUSICK) And then if you turn to</p> <p>18 Pages 20 to 22, if you could read beginning on Page</p> <p>19 20, time stamp 9324, Antonius Brown, and then ending</p> <p>20 with, "Democrat or Republican" on Page 21.</p> <p>21 A. Starting with Antonius Brown?</p> <p>22 Q. Yeah, where it says, "Thank you," right here on</p> <p>23 Page 20, time stamp 9324.</p> <p>24 A. Okay. Gotcha.</p> <p>25 "Thank you. So it was said earlier</p>

<p style="text-align: right;">Page 206</p> <p>1 that this sounds like a broken record, and my drill  2 sergeant always tell me if I continue to do something  3 over and over again, then that's not getting it right  4 and I'm insane because I haven't fixed the process.  5 I think the problem we're having here is the process  6 with early voting is selected because I think the  7 fact that the party chair is the one who has a voice  8 in this and that I'm not registered under any party  9 and I'm a student, I don't really think -- I don't  10 really think -- even I love Ms. Mattox, that's an  11 auntie, I don't think she represents my voice when it  12 comes to choosing where early voting is at because  13 I'm not registered as a Democrat or Republican."  14 Q. And here, did you -- what did you make of -- of  15 this -- of his -- of Mr. Brown's statements here?  16 MR. SEAQUIST: Form.  17 A. What did I -- I'm saying that -- I'm  18 thinking that he's saying that he's not registered as  19 a Democrat or a Republican, although we don't  20 register as that in Texas. However, I'm thinking  21 he's saying that he doesn't want to be recognized by  22 either party.  23 Q. (BY MR. CUSICK) And so having heard that,  24 were you concerned at all that someone that didn't  25 register for either and also expressed concerns that</p>	<p style="text-align: right;">Page 208</p> <p>1 he feels, that he felt that he should -- if he was  2 not recognized by the Democrat or Republican party,  3 that he had no say. I do, yes.  4 Q. (BY MR. CUSICK) So he had no say?  5 A. I felt that that's what he felt, that he had  6 no say.  7 Q. And so if a student is not registered with a  8 party, they have to wait until the schedule is presented  9 to the Commissioners Court, which Commissioner Barnett  10 said is accepted 99 percent of the time, and that's the  11 first instance in which they have any way to influence  12 or add input into the process?  13 MR. SEAQUIST: Form.  14 A. Yes.  15 Q. (BY MR. CUSICK) And so if a -- a student or  16 two came up and expressed concerns like he did, but  17 let's say it happened on August 22nd --  18 A. Correct.  19 Q. -- how would those concerns be relayed if the  20 Commissioners Court is voting on the early schedule, is  21 voting at that same meeting to approve or not approve?  22 A. How would they express concern?  23 Q. How would their concern actually be factored in  24 by you if you've already presented the schedule to the  25 Commissioners Court?</p>
<p style="text-align: right;">Page 207</p> <p>1 neither party chair represented their views, that  2 there was any way for him to have input in the  3 process for early voting schedule?  4 A. No.  5 Q. Why not?  6 A. Well, first of all, you don't register as a  7 Democrat or Republican. That's a false statement,  8 but as far as did I believe that he could have looked  9 on the agenda, just like everyone else, he knew that  10 Court was there that day and he could have come and  11 represented theirselves, just like everyone else did,  12 is what I'm trying to say.  13 I'm not -- what I'm saying is that in  14 order to contact each student out on that campus,  15 what representative do you go to? What he is stating  16 here is that the Democrat or the Republican Party  17 shouldn't represent where he chooses his early  18 voting.  19 Q. And so in the process that nobody but the party  20 chair for the Republican and the Democrat has input into  21 the process, his concern that he has no mechanism to  22 influence that initial process, that didn't raise any  23 concerns for you?  24 MR. SEAQUIST: Form.  25 A. It did, because I feel that that is the way</p>	<p style="text-align: right;">Page 209</p> <p>1 A. I would advise them to speak in  2 Commissioners Court during the public comments  3 section.  4 And are you asking me what I would  5 have done if I -- it had not been submitted yet?  6 Q. Yes, if it had not been submitted yet.  7 A. If I had several that had come to me, I  8 would have taken that into consideration.  9 Q. And did any of these -- these are multiple  10 students who are saying this on record. Did that prompt  11 you to reconsider after the 10-17 meeting?  12 MR. SEAQUIST: Form.  13 A. I don't remember if it did or not.  14 Q. (BY MR. CUSICK) And then on Page --  15 Page 22, if you look at 9535 time stamp, Judge Duhon,  16 if you just want to read this -- the middle portion  17 where it begins -- where it begins, "I mean, there's  18 one after another."  19 A. Uh-huh.  20 Q. Page 22. I'm sorry.  21 A. Yeah, I'm on 22. I'm just -- Judge Duhon is  22 saying it?  23 Q. Yeah. I think it would begin where it says, "I  24 mean, there's one after another."  25 A. "I mean, there's one after another. I think</p>

<p style="text-align: right;">Page 210</p> <p>1 it's a true statement to say there's a lot of  2 students who do not identify as Democrat or  3 Republican. They consider themselves to be  4 independent. They don't consider themselves just to  5 do what a party tells them to do. They're going to  6 vote their minds, okay?"</p> <p>7 Q. Thank you.</p> <p>8 And so here -- and here, having heard  9 this statement, would you consider reaching out to  10 the student government president --</p> <p>11 A. I already have.</p> <p>12 Q. -- as --</p> <p>13 A. I already have, yes.</p> <p>14 Q. Would you represent that you -- before, you  15 indicated who -- or asked the question, who would I  16 reach out that would be representative of students on  17 campus, not with either party. Had you ever considered  18 adding the student government body president in addition  19 to the party chairs in that second stage of creating  20 early voting schedules?</p> <p>21 MR. SEAQUIST: Form.</p> <p>22 A. I have since then.</p> <p>23 Q. (BY MR. CUSICK) So as of today, the  24 president is part of the -- the student government  25 president is part of the process for determining</p>	<p style="text-align: right;">Page 212</p> <p>1 during the 10-17-2018 meeting was taking on an air of  2 chaos and pandemonium?</p> <p>3 A. No.</p> <p>4 Q. And then after this next question, we can take  5 a break, if that's okay.</p> <p>6 For Exhibit 3, which is back to the  7 Dr. Flores report, and then on Page 33, do you mind  8 reading the first full paragraph that makes the  9 representation -- well, I'll represent here that this  10 is in reference to the October 24th, 2018 meeting,  11 and then the first paragraph, that, "Mr. Luther then  12 stated."</p> <p>13 A. "Mr. Luther then stated that the students  14 did not care for the interest of other citizens of  15 Waller County and urged the commissioners to consider  16 the long-lasting implications of allowing yourself to  17 be blackmailed by the federal courts, allow yourself  18 to be used by the Democrats, to be blackmailed by the  19 Democratic Party as they use the courts to get what  20 they want. He went on to say students only care  21 about one thing, their commodity, their vote. No  22 commissioners openly rejected or expressed any  23 disagreement with what Mr. Luther argued."</p> <p>24 Q. And in this statement, do you agree with his  25 comments here about what students were interested in</p>
<p style="text-align: right;">Page 211</p> <p>1 early voting locations?</p> <p>2 A. Well, not -- because we haven't done it yet.  3 It hasn't been set up yet because it's not until next  4 year.</p> <p>5 Q. Would the president of the school be a  6 representative to reach out to in addition to the party  7 chairs?</p> <p>8 A. We've reached out to the president of the  9 school.</p> <p>10 Q. And did you have any conversations with the  11 president of the school during the 2018 election --</p> <p>12 A. No.</p> <p>13 Q. -- in developing --</p> <p>14 A. No.</p> <p>15 Q. -- the early voting schedule?</p> <p>16 A. No.</p> <p>17 Q. And none with the student government president?</p> <p>18 A. No, not about early voting.</p> <p>19 Q. And turn to Page 26. The time stamp is 10558.  20 It's a statement by Commissioner Amsler, and this is  21 during the discussion about early voting again.</p> <p>22 Do you mind reading that sentence?</p> <p>23 A. It says, "Taking on an air of chaos and  24 pandemonium."</p> <p>25 Q. Did you feel the discussion at that point</p>	<p style="text-align: right;">Page 213</p> <p>1 when they were advocating for --</p> <p>2 A. No.</p> <p>3 Q. -- early voting?</p> <p>4 A. No.</p> <p>5 Q. And then similarly, on Page 34, do you mind  6 reading the paragraph beginning with, "Mr. Luther went  7 on"?</p> <p>8 A. "Mr. Luther went on, 'And why do they want  9 voting in the student center, because every student  10 has to pass through the center and they're easy  11 pickings for the political vultures out there.'</p> <p>12 "In so speaking, Mr. Luther apparently  13 intended to communicate that the commissioners should  14 take care not to provide voting in a location that  15 was so easily accessible by young black Democratic  16 voters."</p> <p>17 Q. That's good.</p> <p>18 Do you agree with that statement  19 that -- that students wanted it because they're easy  20 pickings for political vultures out there?</p> <p>21 A. No.</p> <p>22 MR. CUSICK: Off the record.  23 (Recess taken.)  24 (Exhibit No. 12 marked.)</p> <p>25 Q. (BY MR. CUSICK) Ms. Eason, earlier you</p>

<p style="text-align: right;">Page 214</p> <p>1 testified that the same procedures were in place --</p> <p>2 or you talked a little bit about the procedures in</p> <p>3 place for the 2018 primary election for determining</p> <p>4 early voting hours, and I want to introduce in as</p> <p>5 Exhibit 12 an E-mail exchange between you and Judge</p> <p>6 Duhon, and this also included as part of these</p> <p>7 attachments an unsigned contract, but for the</p> <p>8 purposes of this exhibit, mainly the last page I want</p> <p>9 to turn your attention to.</p> <p>10 MR. CUSICK: Handing a copy to</p> <p>11 Ms. Eason, to her counsel.</p> <p>12 Q. (BY MR. CUSICK) Do you recognize Exhibit 12 --</p> <p>13 or Exhibit 12? You can take a moment to read through</p> <p>14 it, though.</p> <p>15 A. Uh-huh.</p> <p>16 Okay.</p> <p>17 Q. And so on the last page, unfortunately the</p> <p>18 Bates stamp is cut off, but it's 001399. This is an</p> <p>19 E-mail sent by you to Judge Duhon on January 23, 2018.</p> <p>20 Do you mind reading the body of that</p> <p>21 E-mail?</p> <p>22 A. Uh-huh.</p> <p>23 "Final schedule approved by David</p> <p>24 Luther, Liz and Elton and I believe Rosa. I've</p> <p>25 covered every part of the county adequately. I will</p>	<p style="text-align: right;">Page 216</p> <p>1 approval from the party chairs, do you receive that</p> <p>2 in written form?</p> <p>3 A. Let me read this first.</p> <p>4 Q. Sure.</p> <p>5 Actually, I can introduce -- let me</p> <p>6 introduce the next exhibit because I think</p> <p>7 potentially the way that they were produced, part of</p> <p>8 the chain with Ms. Harris and you might provide a</p> <p>9 little bit more background.</p> <p>10 A. Okay.</p> <p>11 (Exhibit No. 13 marked.)</p> <p>12 MR. CUSICK: So this is Eason</p> <p>13 Exhibit 13, which is an E-mail correspondence, among</p> <p>14 others, between Ms. Harris on January 7th, 2018,</p> <p>15 which was forwarded by Ms. Eason to Judge Duhon on</p> <p>16 January 8, Bates stamped 001255 through 001257.</p> <p>17 I'm providing the exhibit to</p> <p>18 Ms. Eason, one to her counsel.</p> <p>19 Q. (BY MR. CUSICK) And if you want to just take a</p> <p>20 moment to review these pages.</p> <p>21 A. Looks like the same one, except for the</p> <p>22 back.</p> <p>23 Q. Yeah, just an easier way to digest the two</p> <p>24 together.</p> <p>25 And so in the first page here, it</p>
<p style="text-align: right;">Page 215</p> <p>1 put on next week's agenda."</p> <p>2 Q. And for David Luther here, representing the</p> <p>3 Republican Party chair; is that correct?</p> <p>4 A. Yes.</p> <p>5 Q. And then who is -- who is Liz?</p> <p>6 A. Liz. This Liz.</p> <p>7 Q. And so -- and then Elton refers to -- is it</p> <p>8 Matt?</p> <p>9 A. Uh-huh.</p> <p>10 Q. And then -- so here at the end of the sentence,</p> <p>11 you say, "I believe Rosa Harris"?</p> <p>12 A. Uh-huh.</p> <p>13 Q. And that's the Democratic Party chair.</p> <p>14 Could you explain why you said, "I</p> <p>15 believe Rosa Harris"?</p> <p>16 A. I don't know without going back and</p> <p>17 seeing -- I mean, this was over a year ago or -- I</p> <p>18 don't know without having to go back and look through</p> <p>19 it.</p> <p>20 Q. Could someone reading this statement might</p> <p>21 infer that Ms. Harris' agreement was not necessary to</p> <p>22 submit the plan to be final before the vote?</p> <p>23 MR. SEAQUIST: Object to the form.</p> <p>24 A. No.</p> <p>25 Q. (BY MR. CUSICK) And so anytime you receive</p>	<p style="text-align: right;">Page 217</p> <p>1 says, "This E-mail contradicts her text message"?</p> <p>2 A. Uh-huh.</p> <p>3 Q. And so did you produce communications between</p> <p>4 you and Ms. Harris as the one referenced here through</p> <p>5 discovery?</p> <p>6 A. I don't know -- I don't know what this is.</p> <p>7 This is in the -- I don't know what it is. Did I</p> <p>8 produce it in discovery? No, I don't believe so.</p> <p>9 Q. Did you have text -- do you have text message</p> <p>10 conversations with Ms. Harris about any of the early</p> <p>11 voting scheduling?</p> <p>12 A. From this last -- from when, here?</p> <p>13 Q. From 2018.</p> <p>14 A. Yes.</p> <p>15 Q. From either the primary or the --</p> <p>16 A. Yes -- no, not the primary. I mean, I'm</p> <p>17 sure I do, but from the 2018, yes, general, yes, and</p> <p>18 it is not in the discovery.</p> <p>19 Q. And do you mind reading the second sentence?</p> <p>20 A. "In the text which was sent after the</p> <p>21 E-mail, she stated she doesn't know what she is</p> <p>22 signing and that she has gotten no documents.</p> <p>23 However, this E-mail starts off by stating, 'I have</p> <p>24 not felt well enough to go over the contract.'"</p> <p>25 Q. And so from your recollection in the 2018</p>

55 (Pages 214 - 217)



<p style="text-align: right;">Page 218</p> <p>1 primary, in the contract between you and the Democratic 2 and Republican chairs, did Ms. Harris sign that 3 contract? 4 A. Well, I don't know without looking -- going 5 and seeing. 6 Q. Would a signed contract have been produced 7 through discovery? 8 A. No. We didn't do anything for a primary 9 election. 10 Q. So there was no contract in place? 11 A. No. We didn't provide -- I didn't provide 12 any documents for the primary election, is what I'm 13 saying. 14 Q. Oh, gotcha. 15 A. And for -- I guarantee you her contract is 16 signed for the primary. 17 Q. And what was the nature of your conversations 18 with Ms. Harris during the 2018 general election? 19 A. Such as? 20 Q. Did she have similar concerns about not 21 receiving documents, putting aside -- did she express 22 any concerns about the general election schedule to you? 23 MR. SEAQUIST: Form. 24 A. No, she approved it. 25 Q. (BY MR. CUSICK) She approved the general</p>	<p style="text-align: right;">Page 220</p> <p>1 Exhibit 14. This is an E-mail exchange between you 2 and Mr. Garrett Nemec on March 5th, 2018 which was 3 provided by defendants through discovery, Bates 4 stamped 001202 through 0012003. 5 MR. CUSICK: Handing a copy to 6 Ms. Eason, to her counsel. 7 Q. (BY MR. CUSICK) Do you recognize this? 8 A. Yes. 9 Q. And is this an E-mail you sent? 10 A. It looks like it. 11 Q. And you also received one from Mr. Nemec? 12 A. Yes. 13 Q. And so on the second page, do you mind reading 14 your response after it begins with, "I do apologize"? 15 A. "I do apologize for the inconvenience 16 encountered while early voting on Prairie View 17 campus. I, myself, have been to the student center 18 and I've seen their parking situation firsthand. 19 However, I would never have expected -- I would never 20 have expected all handicap accessible parking spots 21 would be occupied. Lesson learned. We will 22 communicate our needs to reserve parking spaces for 23 voters in future elections. I do not believe that 24 this was a situation of officers targeting voters. I 25 do, however, agree that more parking places should be</p>
<p style="text-align: right;">Page 219</p> <p>1 election primary -- or, sorry, strike that -- the 2 general election -- 3 A. Early voting location. 4 Q. -- 2018? 5 A. Yes. 6 Q. And for the 2018 general election, did she 7 provide you -- was there a contract between the party 8 chairs and you for the 2018? 9 A. I don't have a contract in a general 10 election. That's a county election. 11 Q. And for her approval of the early voting 12 schedule in the general election, was that through text? 13 A. No, I believe we did it in my office. 14 However, I do have a text that states that she knew 15 when it went through Court. 16 Q. When it went up to the Court? 17 A. Yes. 18 Q. So the only -- the only agreement was verbally 19 in your office? 20 A. Correct, as well as it was with the 21 Republican chair. 22 Q. No written? 23 A. No. 24 (Exhibit No. 14 marked.) 25 Q. (BY MR. CUSICK) And then I'm submitting as</p>	<p style="text-align: right;">Page 221</p> <p>1 available for disabled drivers. I've made contact 2 with Mr. Torres, director of parking, and he agrees 3 that your citation should and will be disregarded. 4 Please stop by the information center at the entrance 5 of the campus with your voting ticket and it will be 6 promptly dismissed." 7 Q. And then do you mind reading Mr. Nemec on the 8 first page, his E-mail beginning with, "Thank you for 9 your quick attention"? 10 A. "Thank you for your quick attention to your 11 E-mail. I called the number on the parking link and 12 talked with Ms. Darby. She was very polite and 13 sympathetic to my complaint about the ticket. She 14 asked for the number," such-and-such, "and told me 15 the ticket would be canceled. If you still want me 16 to stop by, just let me know. If I would have talked 17 to her first, I would not have sent the E-mail to the 18 judge and commissioner." 19 Q. And then, last, just your E-mail that begins 20 with the -- first one, "No, all is good"? On the first 21 page, sorry. 22 A. "No, all is good. An officer is meeting in 23 the morning to mark off a few places for voter 24 parking. He will do that during the next election 25 for early voting. Once again, I apologize for your</p>

<p style="text-align: right;">Page 222</p> <p>1 inconvenience."</p> <p>2 Q. And so here you mention that -- references</p> <p>3 about marking off places for voter parking on the</p> <p>4 campus?</p> <p>5 A. Uh-huh.</p> <p>6 Q. And so did you do that in advance of the 2018</p> <p>7 general election?</p> <p>8 A. Yes.</p> <p>9 Q. And then I want to turn back to Exhibit --</p> <p>10 Exhibit 12. This is the E-mail correspondence, and then</p> <p>11 starting from the back, this E-mail exchange between you</p> <p>12 and Ms. -- you and Ms. Harris.</p> <p>13 A. Uh-huh.</p> <p>14 Q. And then do you mind reading the first two full</p> <p>15 sentences from Ms. Harris?</p> <p>16 A. "I have not felt well enough to go over the</p> <p>17 entire contract between parties and contracting</p> <p>18 officer completely. Although I do have some</p> <p>19 questions, I do not want a repeat of the fiasco of</p> <p>20 last election where I was blamed for a decision I was</p> <p>21 not given an opportunity to make."</p> <p>22 Q. Do you know -- do you know what she was --</p> <p>23 A. That wasn't my election. That was before I</p> <p>24 was here.</p> <p>25 Q. For 2017?</p>	<p style="text-align: right;">Page 224</p> <p>1 Q. And then if you turn to the second page, the</p> <p>2 E-mail dated October 3rd, 2017 from Ms. Harris.</p> <p>3 Do you mind reading that into the</p> <p>4 record?</p> <p>5 A. Which one is it?</p> <p>6 Q. Beginning, "Not good enough."</p> <p>7 A. "Not good enough, Christy. The citizens of</p> <p>8 Prairie View have transportation, most students</p> <p>9 don't. Walking from one end of the campus to the</p> <p>10 other is time-consuming, plus signing in and voting.</p> <p>11 We've done this battle to death and frankly, I'm</p> <p>12 tired of it. The students fought and won this</p> <p>13 battle. The 309 is the largest poll in Waller</p> <p>14 County. How can you justify not having an early</p> <p>15 voting poll at the MSC? Things have changed. We're</p> <p>16 not going back to those days, not without a fight.</p> <p>17 Adding the bond election and having voter drives at</p> <p>18 Prairie View, then telling the students no poll is</p> <p>19 wrong on so many levels. We need a poll in Fields</p> <p>20 Store, Katy, PV and MSC. I may have been given the</p> <p>21 wrong information, but I was told Katy has a school</p> <p>22 election. Are you handling that? If so, more reason</p> <p>23 for Katy to have a poll."</p> <p>24 Q. And so what was the circumstances in which you</p> <p>25 received this E-mail from Ms. Harris?</p>
<p style="text-align: right;">Page 223</p> <p>1 A. Yes. Well, 2017, we didn't have -- it was a</p> <p>2 general -- it was just a bond election.</p> <p>3 Q. And do you know what she was referring to by</p> <p>4 the last election?</p> <p>5 A. No.</p> <p>6 Q. Could that have referred to the issue about the</p> <p>7 constitutional amendment referring to the bond for</p> <p>8 building a jail?</p> <p>9 MR. SEAQUIST: Form.</p> <p>10 Q. (BY MR. CUSICK) The fiasco?</p> <p>11 A. I -- for the bond? I don't know.</p> <p>12 Q. Was there any early voting on campus for that</p> <p>13 election in 2017, general?</p> <p>14 A. I don't know if there was or not.</p> <p>15 Do you have a schedule?</p> <p>16 Q. I can get one.</p> <p>17 (Exhibit No. 15 marked.)</p> <p>18 MR. CUSICK: Introducing into the</p> <p>19 record Exhibit 15, Eason Exhibit 15.</p> <p>20 Hand a copy to Ms. Eason, one to her</p> <p>21 attorney.</p> <p>22 Q. (BY MR. CUSICK) This is an E-mail</p> <p>23 correspondence again in 2017 between you and Ms. Harris.</p> <p>24 Take a moment to review.</p> <p>25 A. Correct.</p>	<p style="text-align: right;">Page 225</p> <p>1 A. This was -- let me read it.</p> <p>2 Q. Sure.</p> <p>3 A. If I believe right, it was this -- hang on.</p> <p>4 Here, here's my E-mail.</p> <p>5 "Ms. Harris, thank you for E-mailing.</p> <p>6 On August the 9th, I sent the list of early voting</p> <p>7 locations, time, election day polling place locations</p> <p>8 to you for your approval. You were in agreement with</p> <p>9 the exception of an early voting ballot board clerk.</p> <p>10 It may need be to changed at a later date. The lists</p> <p>11 were approved in Commissioners Court on</p> <p>12 August 16th."</p> <p>13 Then she comes back on October the 3rd</p> <p>14 and wants to change them.</p> <p>15 Q. And do you mind reading the E-mail on the first</p> <p>16 page dated October 2nd at 11:00 a.m. from Ms. Harris?</p> <p>17 A. Yes.</p> <p>18 "Ms. Eason, after assessing the early</p> <p>19 voting schedule and the effect it will have on early</p> <p>20 voting, I strongly recommend early voting polls be</p> <p>21 open one week in Fields Store, one in Turlington, one</p> <p>22 in Prairie View, one at the university. It is a fact</p> <p>23 the constitutional amendment election are generally</p> <p>24 low interest and low turnout. You add a hot issue</p> <p>25 such as a bond for a new jail and voters take a</p>

<p style="text-align: right;">Page 226</p> <p>1 personal interest. It involves our tax money. The</p> <p>2 last thing we would want the voters to feel is we are</p> <p>3 obstructing and denying them the right to vote by</p> <p>4 making them travel miles to vote early. Past</p> <p>5 elections have shown a large number of voters to</p> <p>6 prefer. I believe the office has the funds to add a</p> <p>7 few more polls." [as read]</p> <p>8 Q. Why would the issue of a bond for a new jail be</p> <p>9 a hot issue?</p> <p>10 MR. SEAQUIST: Form.</p> <p>11 A. That is her opinion.</p> <p>12 Q. (BY MR. CUSICK) Did you think that --</p> <p>13 strike that.</p> <p>14 After the bond was added as a ballot,</p> <p>15 was there more interest in Waller County in terms of</p> <p>16 voting and civic engagement around that?</p> <p>17 MR. SEAQUIST: Form.</p> <p>18 A. The bond was on the ballot when she approved</p> <p>19 the locations on August the 9th.</p> <p>20 Q. (BY MR. CUSICK) So at the time on</p> <p>21 August 16th, the bond for the jail was, in fact, at</p> <p>22 the time on the ballot?</p> <p>23 A. Yes.</p> <p>24 Q. And in Prairie View, has there been organizing</p> <p>25 around the death of Sandra Bland?</p>	<p style="text-align: right;">Page 228</p> <p>1 Q. And would -- would -- on August 16th, would</p> <p>2 students be in school at that point or on campus to --</p> <p>3 would students be on campus on August 16th to</p> <p>4 participate in the -- to attend the Commissioners Court</p> <p>5 meeting where it was approved on August 16th?</p> <p>6 A. I don't know --</p> <p>7 MR. SEAQUIST: Object to the form.</p> <p>8 A. I don't know when they started school, but</p> <p>9 August 9th is when she approved it.</p> <p>10 Q. (BY MR. CUSICK) And then so in your E-mail,</p> <p>11 you say the lists were approved in the Commissioners</p> <p>12 Court on August 16th --</p> <p>13 A. Okay.</p> <p>14 Q. -- and so if -- if it's -- if we look at the</p> <p>15 schedule of Prairie View when classes first started, how</p> <p>16 would students have participated in this initial first</p> <p>17 meeting if classes weren't even scheduled at that</p> <p>18 particular time on August 16th?</p> <p>19 MR. SEAQUIST: Form.</p> <p>20 A. If they weren't in school, they wouldn't</p> <p>21 have.</p> <p>22 Q. (BY MR. CUSICK) So do you have any concerns</p> <p>23 that since students weren't even on campus,</p> <p>24 potentially, assuming that classes haven't started,</p> <p>25 would you have been concerned that they wouldn't have</p>
<p style="text-align: right;">Page 227</p> <p>1 MR. SEAQUIST: Form.</p> <p>2 A. I'm sorry?</p> <p>3 Q. (BY MR. CUSICK) For the death of Sandra</p> <p>4 Bland in Waller County, has there been organizing on</p> <p>5 campus around that issue?</p> <p>6 MR. SEAQUIST: Form.</p> <p>7 A. I don't know.</p> <p>8 Q. (BY MR. CUSICK) Do you know who Sandra</p> <p>9 Bland is?</p> <p>10 A. Yes.</p> <p>11 Q. And so have students on campus held events for</p> <p>12 advocacy around reforms for the jail in Waller County?</p> <p>13 A. Not that I know of, they haven't, but you</p> <p>14 remember, I wasn't here then.</p> <p>15 Q. In 2017, in March --</p> <p>16 A. No.</p> <p>17 Q. -- was when you first started?</p> <p>18 A. Yes.</p> <p>19 Since I've been here, no.</p> <p>20 Q. And so prior to that, I guess, in anticipation</p> <p>21 of this 2017 election, were you aware that students</p> <p>22 might be interested or take a personal interest, as</p> <p>23 Ms. Harris expresses, about the issue of a new jail in</p> <p>24 Waller County?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 229</p> <p>1 had any opportunity for input into the early voting</p> <p>2 locations that were approved on August 16th?</p> <p>3 A. What I would probably look at first is find</p> <p>4 out when the deadlines were for that I had to submit</p> <p>5 those by law.</p> <p>6 Q. If that had to precede --</p> <p>7 A. If that had to do with it, yes.</p> <p>8 Q. And do those generally change per year, like --</p> <p>9 A. No, but as you can see, even this past</p> <p>10 election, all this has happened right at the same</p> <p>11 time of the year so the deadlines are in -- in that</p> <p>12 time frame.</p> <p>13 (Exhibit No. 16 marked.)</p> <p>14 MR. CUSICK: And then here is a</p> <p>15 transcript as Exhibit 16 from the October 11th,</p> <p>16 10-11-2017, Eason Exhibit 27 [as spoken].</p> <p>17 I'm handing a copy to Ms. Eason, one</p> <p>18 to her attorney.</p> <p>19 Q. (BY MR. CUSICK) And so this is a partial</p> <p>20 transcript of the October 11th, 2017 Commissioners</p> <p>21 Court meeting.</p> <p>22 On Page 3, Dr. Denise Mattox speaks,</p> <p>23 and at the bottom, do you mind reading where it</p> <p>24 begins, "So speaking of that, I noticed that"?</p> <p>25 A. "We were back to where we were with early</p>

<p style="text-align: right;">Page 230</p> <p>1 voting in the very few places in Waller County, and I 2 spoke to elections administrator Christy Eason. I 3 know she's planning on making some changes today, but 4 what I didn't see were changes for Prairie View A&amp;M 5 University. I want to say that anybody can fix 6 polling places. Anyone can do that." 7 Q. And then do you remember whether Ms. Mattox -- 8 or Dr. Mattox, do you remember your conversations with 9 Ms. Mattox that she's referring to here? 10 A. Back to 2017, no, I don't. 11 Q. And then on the next page, on Page 4, if you 12 read from, "So what we have at Prairie View A&amp;M." 13 Oh, sorry. Out loud for the record. 14 A. Well, I have to find it first. 15 Q. Right here, the first sentence, "So what," for 16 Page 4. 17 A. "So what we have at Prairie View is a 18 population of people, the highest density population 19 in Waller County, I mean, density-wise, and then 20 also, this is a walkability -- this is a walkability 21 issue because you have to get a permit, a 50-dollar 22 ticket. This place was not designated for vehicles, 23 it's designed for walking, so when you put a polling 24 place for a group, that population, it has to be 25 walkable. It has to be walkable and available to</p>	<p style="text-align: right;">Page 232</p> <p>1 voting opportunities for hours and locations? 2 A. Yes. 3 MR. SEAQUIST: Form. 4 A. Yes, from what I have looked back, yes. 5 Q. (BY MR. CUSICK) Prior to when you and 6 Mr. -- or as Mr. Teed was transitioning out, did you 7 have a discussion about issues that he faced or 8 issues with voting that should be on your radar when 9 you took over in 2017? 10 A. No. 11 Q. Did he share any documents about ongoing issues 12 in the county with you? 13 A. With Mr. Teed? 14 Q. Mr. Teed with you, as an election administrator 15 for your office -- 16 A. No. 17 Q. -- that you should be aware of? 18 A. No, not unless he did it -- left -- not 19 unless he left paperwork in the office. 20 (Exhibit No. 17 marked.) 21 MR. CUSICK: This is Exhibit -- Eason 22 Exhibit 17. It's December 15th, 2014 Waller County 23 Commissioners Court special session, and then it 24 includes an attachment entitled "Waller County 25 Election Office Report" that was put together by</p>
<p style="text-align: right;">Page 231</p> <p>1 use, so that's why we use the student center. I 2 don't see that" -- 3 Q. Sorry, just at the -- at the bottom where it 4 says, "Because I can tell you." 5 A. "I have walked every inch of the jail. Most 6 people were non-white, especially non-white black, 7 and the highest density of the non-white black 8 population is at Prairie View A&amp;M University, so they 9 really need to have" -- oh, stop? 10 Q. And then -- yeah. 11 And then do you agree that Prairie 12 View is a high density -- Prairie View A&amp;M has a high 13 density population? 14 MR. SEAQUIST: Form. 15 A. Of black, they're -- 16 Q. (BY MR. CUSICK) Non-white population? 17 A. Correct. 18 Q. Does it have a high density population for 19 people between the ages of 18 and 20? 20 A. Yes. They're in college. 21 Q. And then I'm going to turn -- and I know this 22 was before your time as election administrator, but do 23 you know from your office perspective, for the 2016 24 general election, did Mr. Teed rely on a similar system 25 for the criteria that you used for determining early</p>	<p style="text-align: right;">Page 233</p> <p>1 Mr. Teed. 2 Handing a copy to Ms. Eason, one to 3 her counsel. 4 Q. (BY MR. CUSICK) And if you just want to take a 5 moment to review. 6 You have not seen this document in 7 your capacity -- 8 A. No. 9 Q. -- as election administrator? 10 A. No, no, never seen this. 11 (Exhibit No. 18 marked.) 12 MR. CUSICK: And I'm marking as 13 Exhibit 18 the Waller County election office report 14 prepared by Mr. Teed for February 4, 2015. 15 Handing a copy to Ms. Eason, handing a 16 copy to her counsel. 17 Q. (BY MR. CUSICK) And have you seen this 18 document before? 19 A. No. 20 Q. And if you look at C1 on the first page of 21 this -- 22 A. Uh-huh. 23 Q. -- it says, "Problems resulting from a past 24 perception of secrecy and insufficient accountability. 25 We are striving to create a culture of helpfulness and</p>

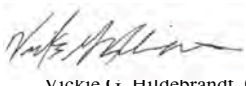
<p style="text-align: right;">Page 234</p> <p>1 transparency in the election office"?</p> <p>2 A. Uh-huh.</p> <p>3 Q. Was that goal ever relayed to you prior to your</p> <p>4 appointment or as you were transitioning to take over?</p> <p>5 A. With -- by Mr. Teed?</p> <p>6 Q. Yes.</p> <p>7 A. No. I've never met him.</p> <p>8 Oh, well, he dropped in the office one</p> <p>9 day, other than that, but --</p> <p>10 (Exhibit No. 19 marked.)</p> <p>11 MR. CUSICK: Just for the record</p> <p>12 purposes, this is Exhibit 19, Commissioners Court</p> <p>13 report, elections office for 4-15-2015 as Eason</p> <p>14 Exhibit 19.</p> <p>15 I'm handing a copy to Ms. Eason,</p> <p>16 handing a copy to her counsel.</p> <p>17 Q. (BY MR. CUSICK) Have you seen this document</p> <p>18 before, Ms. Eason?</p> <p>19 A. No.</p> <p>20 (Exhibit No. 20 marked.)</p> <p>21 MR. CUSICK: And then I'm entering</p> <p>22 Exhibit 20. This is an E-mail exchange from Mr. Teed</p> <p>23 to Mr. Barnett and Judge Duhon about three locations</p> <p>24 possible for early voting for an analysis that he</p> <p>25 conducted.</p>	<p style="text-align: right;">Page 236</p> <p>1 Q. And in the fourth box in the second column,</p> <p>2 Mr. Teed includes accessibility to students as a factor</p> <p>3 that was considered; is that accurate?</p> <p>4 A. Yes.</p> <p>5 Q. In the other couple of columns, does Mr. Teed</p> <p>6 express concerns that are expressed by the Commissioners</p> <p>7 Court?</p> <p>8 A. Looks like it. I guess.</p> <p>9 Q. And so there's a concern about maintaining</p> <p>10 order -- or in the last box of the second page, about</p> <p>11 maintaining order, policing the space for campaigning?</p> <p>12 A. Uh-huh.</p> <p>13 Q. And then -- and then his -- can you read what</p> <p>14 his solution to that is on the -- in the next box?</p> <p>15 A. "Simply not a problem. Courthouses and</p> <p>16 schools across the state have common access, and</p> <p>17 students and politicians are present but not</p> <p>18 campaigning in sight of voters. The University is</p> <p>19 offering a security presence to support our poll</p> <p>20 workers if needed, but overall, the students are</p> <p>21 especially well" --</p> <p>22 Q. And then in the second box up here --</p> <p>23 A. -- "behaved." Well behaved.</p> <p>24 Q. Sorry.</p> <p>25 And then in the second box here, it</p>
<p style="text-align: right;">Page 235</p> <p>1 Handing a copy to Ms. Eason, to her</p> <p>2 counsel.</p> <p>3 Q. (BY MR. CUSICK) Have you seen this document</p> <p>4 before?</p> <p>5 A. (Shakes head.)</p> <p>6 Q. Have you had a moment to review this?</p> <p>7 A. Yes.</p> <p>8 Q. And so you said you haven't seen this document</p> <p>9 before?</p> <p>10 A. No.</p> <p>11 Q. But do you mind reading Mr. Teed's initial</p> <p>12 E-mail on the first page into the record?</p> <p>13 A. "Commissioner Barnett, here's the attachment</p> <p>14 referenced in the earlier E-mail regarding campus</p> <p>15 locations. I provided an analysis from the elections</p> <p>16 office regarding each location. I was not aware of</p> <p>17 the Hobart Building being an option so that one is</p> <p>18 not sufficiently researched. At this point, I should</p> <p>19 be able to provide more information by the end of</p> <p>20 today."</p> <p>21 Q. And then, so, if you turn to the next page, do</p> <p>22 you mind reading the first sentence?</p> <p>23 A. "The student center is first preference of</p> <p>24 the University and the senior adults polled from the</p> <p>25 Prairie View area."</p>	<p style="text-align: right;">Page 237</p> <p>1 says, "The distance to walk for elderly and</p> <p>2 handicapped," and then do you mind reading his</p> <p>3 evaluation --</p> <p>4 A. "Distance," that?</p> <p>5 Q. Yes.</p> <p>6 A. "Distance not too bad. Moving to the</p> <p>7 auditorium makes it within 200 feet of parking.</p> <p>8 Student assistance is available. Student is</p> <p>9 available for elderly and seating is available for</p> <p>10 elderly and other voters who are waiting.</p> <p>11 St. Francis is available and closer to elderly voters</p> <p>12 than the university is. Ballots by mail are</p> <p>13 available and building is ADA accessible."</p> <p>14 Q. And then could you read what the second choice</p> <p>15 was?</p> <p>16 A. The Criminal Justice Center.</p> <p>17 Q. And did Mr. Teed, based on your review, conduct</p> <p>18 a similar -- consider similar factors when -- based on</p> <p>19 your review?</p> <p>20 A. It looks like he did.</p> <p>21 Q. And then what about the third choice -- or I</p> <p>22 believe it's the Panther --</p> <p>23 A. Panther Plaza.</p> <p>24 Q. Yes.</p> <p>25 Do you have any reason to dispute</p>



<p style="text-align: right;">Page 238</p> <p>1 these findings from Mr. Teed?</p> <p>2 MR. SEAQUIST: Object to the form.</p> <p>3 A. Yes. I don't agree with them.</p> <p>4 Q. (BY MR. CUSICK) Have you conducted your own</p> <p>5 analysis like this?</p> <p>6 A. Yes, as far as on the student center.</p> <p>7 Q. You conducted an analysis only of the student</p> <p>8 center?</p> <p>9 A. The one that we were working -- I mean, not</p> <p>10 a formal analysis like this, but, yes, some of the</p> <p>11 problems that we've had at the student center.</p> <p>12 Q. Did you consider the same factors that he did?</p> <p>13 A. Yes, and more.</p> <p>14 Q. And is that in writing?</p> <p>15 A. No.</p> <p>16 Q. So the only record of the analysis you</p> <p>17 conducted --</p> <p>18 A. I didn't present it with anyone. I'm just</p> <p>19 saying I disagree with -- personally I disagree with</p> <p>20 some of this. On some of this, he didn't mention as</p> <p>21 far as the security of the entire student center for</p> <p>22 two and a half weeks, that now they're not able to</p> <p>23 provide us. Maybe for election day, yes, I do agree,</p> <p>24 but maybe not for early voting.</p> <p>25 Q. In your official capacity as election</p>	<p style="text-align: right;">Page 240</p> <p>1 Q. And what was the -- strike that.</p> <p>2 You -- when did you conduct your</p> <p>3 analysis?</p> <p>4 A. My analysis?</p> <p>5 MR. SEAQUIST: Form.</p> <p>6 A. I conduct it every time I have an election</p> <p>7 there. It's not -- it's -- I've had instances in</p> <p>8 this past election that security has been broken in</p> <p>9 this polling location. I do not agree that it's a</p> <p>10 good polling location because it is not secured after</p> <p>11 the polls close.</p> <p>12 Q. (BY MR. CUSICK) And did you share these</p> <p>13 concerns in writing with any Prairie View A&amp;M</p> <p>14 officials?</p> <p>15 A. No, not in writing.</p> <p>16 Q. Did you share this with any other county</p> <p>17 officials in writing?</p> <p>18 A. I have shared nothing in writing about this.</p> <p>19 This is the locations that we're using right now.</p> <p>20 When they get ready to change, yes, I will.</p> <p>21 Q. And can the security issue at Prairie View A&amp;M</p> <p>22 be fixed?</p> <p>23 A. From the meeting that I had last week with</p> <p>24 the president, probably not.</p> <p>25 Q. And was security an issue in 2018 during the</p>
<p style="text-align: right;">Page 239</p> <p>1 administrator, you disagree with --</p> <p>2 A. As having this as an early voting location</p> <p>3 for two and a half weeks, yes.</p> <p>4 Q. When you say "two and a half weeks," is that</p> <p>5 under the new 1888, or would this be different for 2018?</p> <p>6 A. Well, anytime when they had suggested or</p> <p>7 requested that early voting be there for two and a</p> <p>8 half weeks, even now, it's not a good location to</p> <p>9 have that. I don't agree with it for them. For what</p> <p>10 he maybe considered it for at this time, possibly so.</p> <p>11 For what we would need now or what we needed in</p> <p>12 November 2018, no, I don't agree with that.</p> <p>13 Q. But you did propose early voting on the campus</p> <p>14 for both the first and second week. Even if they</p> <p>15 weren't adopted, you did propose that to the</p> <p>16 Commissioners Court?</p> <p>17 A. Yes, because that is our actual polling</p> <p>18 location there now.</p> <p>19 Q. And so did you share your analysis with anyone</p> <p>20 else?</p> <p>21 A. No.</p> <p>22 Q. And so here, Mr. Teed mentions how he conducted</p> <p>23 follow-up with the concerns you identified. Have you</p> <p>24 followed up with Prairie View A&amp;M officials?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 241</p> <p>1 general election?</p> <p>2 A. Yes, it was.</p> <p>3 Q. And what was the nature of that concern?</p> <p>4 A. That the -- the rooms were not being secured</p> <p>5 after the polls closed. It was in an auditorium, and</p> <p>6 the stages and everything to the auditorium were</p> <p>7 still being used after the polls closed.</p> <p>8 Q. And so how did you first become aware of that</p> <p>9 issue?</p> <p>10 A. The election inspector was sitting in on</p> <p>11 election day and witnessed it.</p> <p>12 Q. And so did you bring that to the attention of</p> <p>13 Prairie View A&amp;M?</p> <p>14 A. Yes, I did.</p> <p>15 Q. And did they give you assurances that it would</p> <p>16 be fixed?</p> <p>17 A. No. They said that they would make sure</p> <p>18 that they were closed during that time and that --</p> <p>19 during that election, but nothing forward, anything</p> <p>20 forward.</p> <p>21 Q. So for the rest of that election, they assured</p> <p>22 you that there wouldn't be any security issues?</p> <p>23 A. Yes.</p> <p>24 Q. And did any issues happen after that?</p> <p>25 A. Not that I know of.</p>

<p style="text-align: right;">Page 242</p> <p>1 Q. And then so moving forward, did they make that</p> <p>2 same assurance in the future election?</p> <p>3 A. No. It was something that we would have to</p> <p>4 discuss the next time we used it as a polling</p> <p>5 location.</p> <p>6 Q. So in the one instance of this issue, you</p> <p>7 resolved it with Prairie View A&amp;M?</p> <p>8 A. Uh-huh.</p> <p>9 Q. And then since then, there haven't been any</p> <p>10 more issues?</p> <p>11 MR. SEAQUIST: Form.</p> <p>12 Q. (BY MR. CUSICK) Or during now --</p> <p>13 A. I haven't had an election there since.</p> <p>14 Q. And so the sole reason for not keeping it at</p> <p>15 the Memorial Student Center being an ideal place is</p> <p>16 because you're concerned that Prairie View A&amp;M won't</p> <p>17 keep that promise to address that issue about election</p> <p>18 security?</p> <p>19 MR. SEAQUIST: Form.</p> <p>20 A. No. I've had a discussion with Prairie View</p> <p>21 administrators since then and they have also</p> <p>22 concurred that it is not a good location.</p> <p>23 Q. (BY MR. CUSICK) So Prairie View A&amp;M said</p> <p>24 that the Memorial Student Center is not a good</p> <p>25 location --</p>	<p style="text-align: right;">Page 244</p> <p>1 Q. (BY MR. CUSICK) All portions of it?</p> <p>2 A. No, there's some of it is -- some of it's</p> <p>3 okay, but to me, the security of the -- the voting</p> <p>4 machines is the most important, and I know firsthand</p> <p>5 we don't have it there.</p> <p>6 Q. Do you know if this was an issue in 2016 when</p> <p>7 it was on campus?</p> <p>8 A. I do not know.</p> <p>9 Q. Was this an issue when you were -- strike that.</p> <p>10 I might be misremembering, but was</p> <p>11 there early voting on campus during your first tenure</p> <p>12 as election administrator?</p> <p>13 A. I don't remember if there was early voting</p> <p>14 there. There was always an election spot. I don't</p> <p>15 know if there was early voting there or not, though.</p> <p>16 Q. So like Mr. Teed, did you survey other</p> <p>17 locations on campus?</p> <p>18 A. I haven't looked for another polling place.</p> <p>19 This was just the observations that I had in my last</p> <p>20 election. I haven't aggressively gone out looking</p> <p>21 for others, so I've had no reason to analyze any</p> <p>22 other locations. I'm just reporting on what I found</p> <p>23 out this last election on this location.</p> <p>24 Q. And you mentioned that you're on a list serve</p> <p>25 or that you had reached out to other election</p>
<p style="text-align: right;">Page 243</p> <p>1 A. Correct.</p> <p>2 Q. -- on campus?</p> <p>3 And who is the --</p> <p>4 A. Dr. Simmons, the president.</p> <p>5 Q. Was there anyone else on campus -- or in that</p> <p>6 meeting?</p> <p>7 A. Yes, there was probably eight of us in the</p> <p>8 meeting.</p> <p>9 Q. Do you remember the names or titles of the</p> <p>10 other people in that meeting?</p> <p>11 A. Judge Duhon, Frank Jackson, President</p> <p>12 Simmons, and then several other members, as well.</p> <p>13 I'm not saying -- I'm just saying that I don't agree</p> <p>14 with his analysis of this polling location. I'm not</p> <p>15 saying anything, you know, bad about it. I'm just</p> <p>16 saying that it's not a location that can be secured</p> <p>17 for two and a half weeks.</p> <p>18 Q. And if --</p> <p>19 A. And it's just stating to move it in another</p> <p>20 location, not to --</p> <p>21 Q. If -- if some way there was assurances and you</p> <p>22 felt comfortable that it would be secured, are there any</p> <p>23 other reasons then to disagree with his analysis?</p> <p>24 MR. SEAQUIST: Object to the form.</p> <p>25 A. I just don't agree with his analysis of it.</p>	<p style="text-align: right;">Page 245</p> <p>1 administrators in other counties?</p> <p>2 A. Correct, as far as those that have polling</p> <p>3 locations on campuses.</p> <p>4 Q. And do you know if any of those election</p> <p>5 administrators had similar issues about election</p> <p>6 security?</p> <p>7 A. I don't -- I don't know.</p> <p>8 Q. Did they secure it for election day on campus?</p> <p>9 Do you have any concerns about securing it for a single</p> <p>10 day, election security?</p> <p>11 A. No, because we're there all day and they</p> <p>12 actually -- we take the -- the equipment is shut down</p> <p>13 for the day and it's moved and taken with us.</p> <p>14 Q. So it's off campus at the end of the --</p> <p>15 A. Yes.</p> <p>16 Q. -- when the polls close?</p> <p>17 A. Yes.</p> <p>18 Q. I'm going to --</p> <p>19 A. And I guess what I'm trying to say is, I</p> <p>20 guess, more so it's the room that's a bad location.</p> <p>21 It's not so much it's --</p> <p>22 Q. Are there any other rooms in the MSC?</p> <p>23 When you say "the room," is that the</p> <p>24 auditorium?</p> <p>25 A. I don't know. Oh, I'm sorry?</p>

<p style="text-align: right;">Page 246</p> <p>1 Q. When you say "the room," you said -- I'm sorry.</p> <p>2 Do you want to repeat what you just said about the room?</p> <p>3 A. No. The room is, yes, it's the auditorium.</p> <p>4 Q. Are there any other places --</p> <p>5 A. I don't know.</p> <p>6 Q. -- during your conversation this past -- do you</p> <p>7 remember -- was it this week, you said?</p> <p>8 A. Week before last.</p> <p>9 Q. Did that come up about solutions?</p> <p>10 A. (Shakes head.)</p> <p>11 MS. ADEN: And I just want to</p> <p>12 interrupt for the record.</p> <p>13 So we've had a really great day and</p> <p>14 this has gone smoothly, but if counsel is sending any</p> <p>15 notes or giving any notes to the witness, I would</p> <p>16 want to note for the record that we would object to</p> <p>17 that and that the testimony needs to be Ms. Eason's</p> <p>18 testimony and her testimony only.</p> <p>19 MR. SEAQUIST: Okay. Counsel, I did</p> <p>20 send a note. It just said, "Wait for a question."</p> <p>21 MS. ADEN: Okay. Thank you. We</p> <p>22 appreciate that, which you have been instructing her</p> <p>23 to do all day, so I appreciate it. Thank you.</p> <p>24 Q. (BY MR. CUSICK) Then I just want to talk a</p> <p>25 little bit about in the last segment just about the</p>	<p style="text-align: right;">Page 248</p> <p>1 MR. SEAQUIST: Object to the form.</p> <p>2 A. One of them, I'm sure.</p> <p>3 Q. (BY MR. CUSICK) And did -- from the 10-17</p> <p>4 meeting, did students raise, as part of the reason</p> <p>5 for early voting on campus, that it was central to</p> <p>6 student life?</p> <p>7 A. Yes.</p> <p>8 Q. And did students raise transportation concerns</p> <p>9 during that October 27th meeting, as well?</p> <p>10 A. Yes.</p> <p>11 Q. 17th, sorry.</p> <p>12 And have you been to any events on the</p> <p>13 Prairie View A&amp;M campus this past year aside from</p> <p>14 what you do as voter registration?</p> <p>15 A. No.</p> <p>16 Q. Did you in 2018 --</p> <p>17 A. No.</p> <p>18 Q. -- aside from voter registration?</p> <p>19 A. No.</p> <p>20 Q. Are you aware of any events that Prairie View</p> <p>21 A&amp;M hosts on campus for civic engagement?</p> <p>22 MR. SEAQUIST: Form.</p> <p>23 A. No.</p> <p>24 Q. (BY MR. CUSICK) Do you know if the MSC --</p> <p>25 do you know of any events that are public at the MSC</p>
<p style="text-align: right;">Page 247</p> <p>1 history of early voting on campus, and I know we</p> <p>2 briefly touched it at the top.</p> <p>3 When did your office first bring early</p> <p>4 voting to the MSC on campus?</p> <p>5 A. I don't -- I'm thinking 2016, 2015.</p> <p>6 Bringing it back to campus, correct?</p> <p>7 Q. Yes.</p> <p>8 Do you think early voting should be</p> <p>9 offered on campus?</p> <p>10 A. Yes.</p> <p>11 Q. And why is that?</p> <p>12 A. I believe students should have access to</p> <p>13 early voting on campus.</p> <p>14 Q. And what are some of the reasons why?</p> <p>15 A. I believe that it is their right to vote.</p> <p>16 They should have it close to them and -- and just</p> <p>17 like every other early voting location and like any</p> <p>18 other citizen of the county.</p> <p>19 Q. Does transportation at all factor into this?</p> <p>20 A. Some. Somewhat. I don't know what the</p> <p>21 transportation situation is on campus.</p> <p>22 Q. Would it be fair to say that the Prairie View</p> <p>23 is the center of life -- strike that.</p> <p>24 Would it be fair to say that Prairie</p> <p>25 View A&amp;M is one center of life in Prairie View?</p>	<p style="text-align: right;">Page 249</p> <p>1 this year?</p> <p>2 A. I don't know.</p> <p>3 Q. And so before, we referenced Mr. Jones'</p> <p>4 testimony where he said that the Waller County Community</p> <p>5 Center is not accessible to students, in his opinion.</p> <p>6 A. To whom? I'm sorry.</p> <p>7 Q. Mr. Kendric Jones.</p> <p>8 A. Oh, yes.</p> <p>9 Q. Have you heard similar concerns that the Waller</p> <p>10 County Community Center is not accessible for students?</p> <p>11 A. I've heard that, yes.</p> <p>12 Q. Is it an area that is frequented by students on</p> <p>13 a daily basis?</p> <p>14 MR. SEAQUIST: Object to the form.</p> <p>15 A. I don't know.</p> <p>16 Q. (BY MR. CUSICK) Is it central to campus?</p> <p>17 A. It's on campus, yes.</p> <p>18 Q. You mentioned that you walked from</p> <p>19 the Commissioners -- from the community center to the</p> <p>20 Memorial Student Center before?</p> <p>21 A. Yes.</p> <p>22 Q. That was this year?</p> <p>23 A. Yes, that was this year.</p> <p>24 Q. Have students indicated to you where they want</p> <p>25 early voting on campus?</p>

<p style="text-align: right;">Page 250</p> <p>1 A. No.</p> <p>2 Q. Have students ever indicated that they don't</p> <p>3 know where the community center is?</p> <p>4 A. Not to me, they haven't.</p> <p>5 Q. And before, you mentioned that the community</p> <p>6 center is on campus?</p> <p>7 A. Yes.</p> <p>8 Q. How do you make that determination?</p> <p>9 A. The community center is on the edge of the</p> <p>10 campus on land that was given to the County by the</p> <p>11 school.</p> <p>12 Q. And so are the boundary lines -- that's based</p> <p>13 on Prairie View A&amp;M's boundary lines, that it considers</p> <p>14 it on campus?</p> <p>15 A. I don't know what -- I don't know what</p> <p>16 boundary lines it's considered on.</p> <p>17 Q. So it's your position in your capacity as</p> <p>18 election administrator it's on campus?</p> <p>19 A. It is on land that was given by the -- I</p> <p>20 don't know if it's officially on campus, but it</p> <p>21 was on -- it's on land that was donated by the -- by</p> <p>22 the University to build the community center.</p> <p>23 Q. Have they donated other land in that area?</p> <p>24 A. I don't know.</p> <p>25 Q. If they didn't donate the land, would it still</p>	<p style="text-align: right;">Page 252</p> <p>1 I declare under penalty of perjury that the</p> <p>2 foregoing is true and correct.</p> <p>3</p> <p>4</p> <p>5 CHRISTY A. EASON</p> <p>6</p> <p>7</p> <p>8 SUBSCRIBED AND SWORN TO BEFORE ME, the</p> <p>9 undersigned authority, by the witness, CHRISTY A.</p> <p>10 EASON, on this the day of , 20 .</p> <p>11</p> <p>12</p> <p>13</p> <p>14 NOTARY PUBLIC IN AND FOR</p> <p>15 THE STATE OF</p> <p>16</p> <p>17 My Commission Expires:</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 251</p> <p>1 be considered on campus?</p> <p>2 A. I don't know.</p> <p>3 Q. Is it centrally located like the Memorial</p> <p>4 Student Center?</p> <p>5 A. No, it's on the other -- well, no, it's on</p> <p>6 the edge of campus.</p> <p>7 MR. CUSICK: Off record for a moment.</p> <p>8 (Recess taken.)</p> <p>9 Q. (BY MR. CUSICK) Thank you, Ms. Eason.</p> <p>10 We'll follow-up with your counsel. I know that we</p> <p>11 had discussed one item to reach out about, which we</p> <p>12 can't remember right now, and then --</p> <p>13 MR. SEAQUIST: I've got notes on it,</p> <p>14 as well, so we can --</p> <p>15 Q. (BY MR. CUSICK) And then any of the text</p> <p>16 messages we referenced, but we appreciate it. Thank</p> <p>17 you.</p> <p>18 MR. CUSICK: Pass the witness.</p> <p>19 MR. SEAQUIST: All right. Now it's</p> <p>20 our turn to take a fiver. We'll come back and check</p> <p>21 back with you.</p> <p>22 (Recess taken.)</p> <p>23 MR. SEAQUIST: We'll reserve our</p> <p>24 questions till time of trial.</p> <p>25 (Proceedings concluded at 5:06 p.m.)</p>	<p style="text-align: right;">Page 253</p> <p>1 STATE OF TEXAS</p> <p>2 COUNTY OF HARRIS</p> <p>3</p> <p>4 REPORTER'S CERTIFICATE</p> <p>5 ORAL DEPOSITION OF CHRISTY A. EASON</p> <p>6 September 26, 2019</p> <p>7</p> <p>8 I, the undersigned Certified Shorthand Reporter</p> <p>9 in and for the State of Texas, certify that the facts</p> <p>10 stated in the foregoing pages are true and correct.</p> <p>11 I further certify that I am neither attorney or</p> <p>12 counsel for, related to, nor employed by any parties</p> <p>13 to the action in which this testimony is taken and,</p> <p>14 further, that I am not a relative or employee of any</p> <p>15 counsel employed by the parties hereto or financially</p> <p>16 interested in the action.</p> <p>17 SUBSCRIBED AND SWORN TO under my hand and seal</p> <p>18 of office on this the 8th day of October, 2019.</p> <p>19</p> <p>20</p> <p>21 </p> <p>22 VICKIE G. HILDEBRANDT, CSR</p> <p>23 Texas CSR 1363</p> <p>24 Expiration: 12/31/19</p> <p>25 Veritext Legal Solutions</p> <p>Firm Registration No. 571</p> <p>300 Throckmorton, Suite 1600</p> <p>Fort Worth, Texas 76102</p> <p>817-336-3042</p>

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<p style="text-align: right;">Page 254</p> <p>1 Gunnar P. Seaquist, Esq.  2 gseaquist@bickerstaff.com  3 October 8, 2019  4 RE: Allen, Jayla, Et Al v. Waller County, Texas, Et Al  5 9/26/2019, Christy A. Eason (#3560111)  6 The above-referenced transcript is available for  7 review.  8 Within the applicable timeframe, the witness should  9 read the testimony to verify its accuracy. If there are  10 any changes, the witness should note those with the  11 reason, on the attached Errata Sheet.  12 The witness should sign the Acknowledgment of  13 Deponent and Errata and return to the deposing attorney.  14 Copies should be sent to all counsel, and to Veritext at  15 CS-NY@Veritext.com  16  17 Return completed errata within 30 days from  18 receipt of testimony.  19 If the witness fails to do so within the time  20 allotted, the transcript may be used as if signed.  21  22  23 Yours,  24  25 Veritext Legal Solutions</p>	<p style="text-align: right;">Page 256</p> <p>1 Allen, Jayla, Et Al v. Waller County, Texas, Et Al  2 Christy A. Eason (#3560111)  3 ACKNOWLEDGEMENT OF DEPONENT  4 I, Christy A. Eason, do hereby declare that I  5 have read the foregoing transcript, I have made any  6 corrections, additions, or changes I deemed necessary as  7 noted above to be appended hereto, and that the same is  8 a true, correct and complete transcript of the testimony  9 given by me.  10  11 _____  12 Christy A. Eason Date  13 *If notary is required  14  15 SUBSCRIBED AND SWORN TO BEFORE ME THIS  16  17 _____ DAY OF _____, 20____.  18  19  20  21  22  23 _____  24  25 NOTARY PUBLIC</p>
<p style="text-align: right;">Page 255</p> <p>1 Allen, Jayla, Et Al v. Waller County, Texas, Et Al  2 Christy A. Eason (#3560111)  3 E R R A T A S H E E T  4 PAGE _____ LINE _____ CHANGE _____  5 _____  6 REASON _____  7 PAGE _____ LINE _____ CHANGE _____  8 _____  9 REASON _____  10 PAGE _____ LINE _____ CHANGE _____  11 _____  12 REASON _____  13 PAGE _____ LINE _____ CHANGE _____  14 _____  15 REASON _____  16 PAGE _____ LINE _____ CHANGE _____  17 _____  18 REASON _____  19 PAGE _____ LINE _____ CHANGE _____  20 _____  21 REASON _____  22 _____  23 _____  24 _____  25 Christy A. Eason Date</p>	